

ESTABLISHING COUNTY ROADS - FINANCIAL RESPONSIBILITY

ITASCA COUNTY ROAD AND BRIDGE DEPARTMENT

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Distribution: Commissioner's Office - 1
Engineer's Office - 1
All Garages - 16

Number of Pages: 3 Plus Attachment

PURPOSE

The intent of this policy is to provide consistency in the procedure for establishment of the following types of roadways as county roads:

- A. Any roadway not currently maintained by the Road and Bridge Department and established as a county road pursuant to M.S. 163.11 or Special 1991 Itasca County Legislation (Chapter 111-H.F. No. 87).

Note: This does not include roadways of other jurisdictions maintained by the county under contract or cooperative maintenance agreement i.e. township, DNR, USDA Forest Service, County Land Department, etc.

- B. Roadways platted prior to bonding requirements for completion of roadway where such road has not been constructed to present specifications.

APPLICABLE STATUTES

160.05 DEDICATION OF ROADS

Subdivision 1. Six years. When any road or portion of a road has been used and kept in repair and worked for at least six years continuously as a public highway by a road authority, it shall be deemed dedicated to the public to the width of the actual use and be and remain, until lawfully vacated, a public highway whether it has ever been established as a public highway or not.

163.13 PETITION FOR HIGHWAYS OR PORTAGES.

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Subdivision 1. Contents of petition. Any person who owns real estate in a county may petition the county board to establish, alter, or vacate a county highway or portage. The petition shall set forth the beginning, course, and termination of the highway or portage with reasonable definiteness. It shall be filed with the county auditor and shall be considered at the next regular county board meeting. The board shall hear all interested persons at that meeting or at such continued meetings as the board deems necessary.

Subdivision 2. Resolution of county board, procedure. After investigating the matters contained in the petition, and after hearing all interested persons, the board, by resolution, shall make its determination. If it determines to grant the petition it shall proceed as provided in section 163.11 or as provided in section 163.12.

POLICY AND PROCEDURE

1. Petition by any county landowner for county assumption of maintenance responsibility for any unmaintained road is to be filed with County Auditor with hearings to follow in accordance with M.S. 163.13.
2. If decision of County Board is to establish roadway, one of the following shall occur in accordance with County Board direction:

Alternate A - Construction by petitioning parties/benefited property owners.

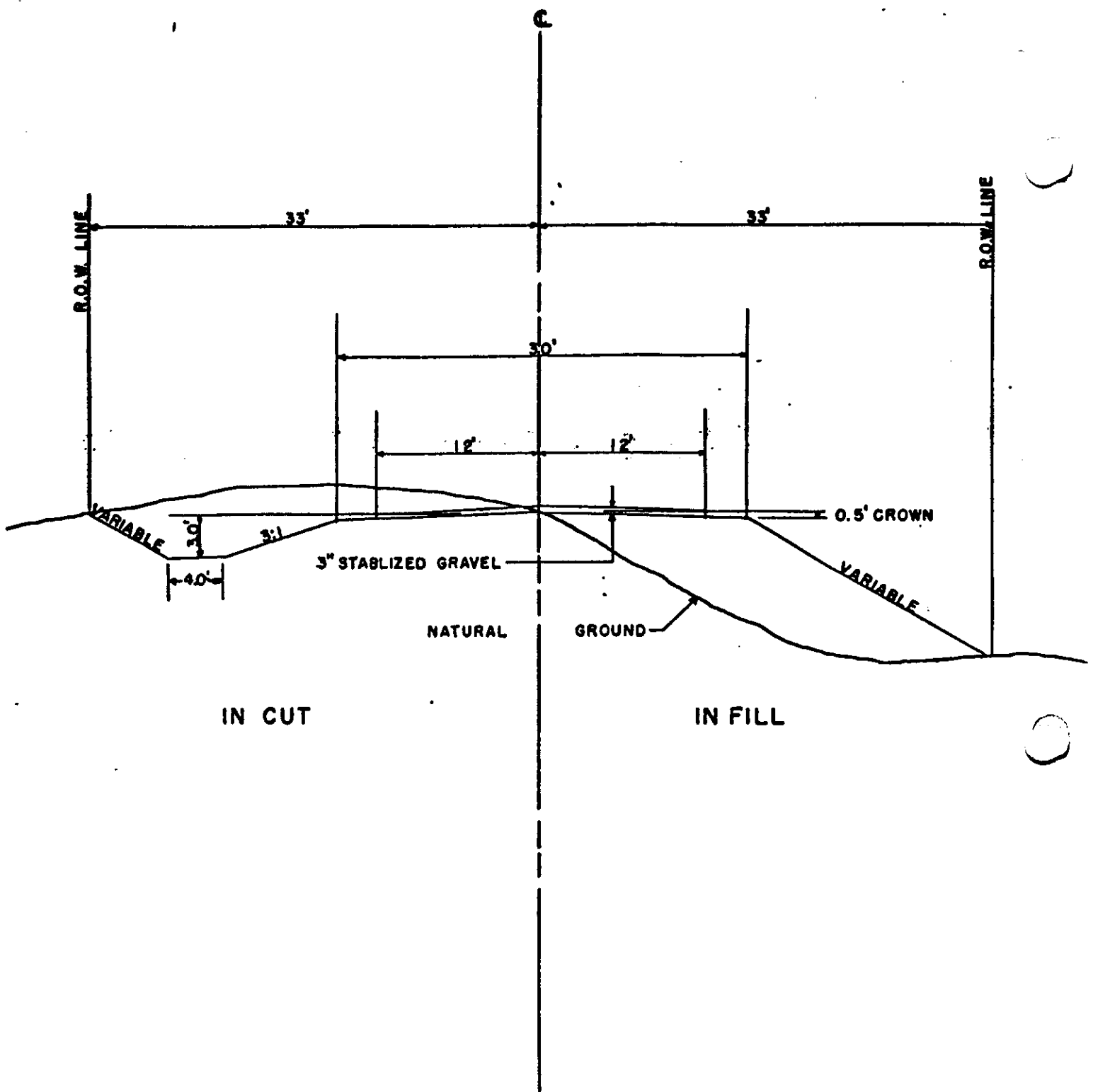
- a. Proposed right of way shall be platted and dedicated in accordance with "Subdivision Platting Regulations of Itasca County, Minnesota."
- b. Road improvements shall be designed and constructed in accordance with Article VI - Improvements "Subdivision Platting Regulations of Itasca County, Minnesota." This includes but is not limited to the following: (See Attached Drawing)
 - 1) Twenty-four (24') foot driving surface plus three (3') foot shoulders [thirty (30') feet total]
 - 2) 3:1 Shoulder Slopes
 - 3) Four (4') foot wide ditch bottom
 - 4) Variable Backslope

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- 5) Two and one half (2.5') foot minimum separation from road shoulder to ditch elevation
 - 6) Three (3") inch Class 5 Gravel
- c. County Board establishes completed county roadway as a county road and accepts future maintenance.

Alternate B - R.O.W./design/construction coordinated by County with cost assessed to benefitting property owners.

- a. County Engineer shall coordinate preparation of platting of right of way, right of way acquisition and recording, roadway design, specifications and bid documents.
- b. Arrangement for financing by Auditor/County Board - i.e., County reserves or bonding and period of repayment.
- c. Determination by County Board upon recommendation of County Engineer to contract for improvements or completion by County forces.
- d. Completion of roadway improvement.
- e. Calculation of total actual cost of improvement including but not limited to survey and platting of right of way, right of way acquisition and recording, design, construction, inspection, bonding and administration by County Engineer.
- f. Assessment hearing by County Board.
- g. County Board establishes completed roadway as a County Road and accepts future maintenance.



ROADS TO BE CONSTRUCTED AS TO
 SUBDIVISION PLATTING REGULATIONS