



## MAHNOMEN COUNTY HIGHWAY DEPARTMENT

# POLICY STATEMENT

**TITLE:**

***County Highway Culvert Modification Policy and Procedure***

**PERSONNEL RESPONSIBLE:**

County Engineer and County Highway Department Staff

**POLICY:**

From time to time, landowners may desire and request, for various reasons, the Mahnomens County Highway Department to change the size or invert elevation of centerline culverts within a county highway system. The intent of this Policy and Procedure Statement is to define the guidelines and parameters under which landowner requests for modification of highway centerline culverts are to be addressed.

This policy will apply only to roads or highways under the jurisdiction of Mahnomens County and only when the subject county road or county state-aid highway is **NOT** under contract for reconstruction.

Requests for the modification of a highway centerline culvert within the roadbed of a Mahnomens County Road or County State-Aid Highway shall follow the following procedure:

- A. The request is to be submitted to the County Engineer in writing and the request shall contain the justification for the modification request, including any elevation data that is to be used for the modification request. It will be the requesting landowner's responsibility to obtain all data needed to research the feasibility of the request.
- B. Should the request involve increasing the capacity or changing the elevation of an existing culvert, or the installation of a complete new culvert at a new location, it will be the responsibility of the requestor to apply for and obtain written clearance from the Wild Rice Watershed District, the Mahnomens County SWCD, and the Minnesota DNR in accordance with present applicable laws and agency rules. The Department shall attend to contacting all adjacent and applicable downstream landowners that may be impacted by the proposed culvert modification and will allow adequate time for comment and response.
- C. Mahnomens County may participate in the costs of Centerline Culvert Modifications in a pro-rated ratio with the requesting landowner per the following, however each individual request shall be considered on its own merit to determine the level of participation costs by Mahnomens County Highway Department:
  1. Additional culvert length required beyond existing length to meet present standards.
  2. Additional excavation & backfill costs required for the "Taper" method of centerline culvert installation.
  3. Additional erosion control features installed beyond existing conditions.

4. Pro-rated cost participation with the Landowner based on the condition of the existing culvert:
    - a. New centerline culvert and aprons to match existing length;
    - b. Core trench excavation required to remove existing culvert and install new culvert;
    - c. Backfilling of the core trench with granular backfill;
    - d. Engineering, legal, mailing and traffic detouring costs.
  5. Mahnomen County will not participate in any costs attributed to landowner requests to lower a highway centerline culvert as the only work requested; such requests shall be funded solely by the requesting landowner. However, if a highway centerline culvert was initially installed at an improper elevation, due to an error in setting the culvert invert elevation during installation, that can be documented and shown undisputedly that such an error was made, and the error is significant to justify the cost of the culvert modification, then the Department will adjust the elevation of the highway centerline culvert to the correct elevation at the Department's sole cost,
- D. Upon the requesting landowner obtaining a Watershed District Permit for the Centerline Culvert Modification, the requesting landowner shall assist the County Engineer in notifying the immediate adjacent landowners of the proposed centerline culvert modification.
- E. Upon approval of the culvert modification by the Mahnomen County Board, the requesting landowner shall be responsible for all pro-rated participation costs associated with the culvert modification pursuant thereto, and prior to the making any such modification improvements, the requestor shall deposit with the County Engineer an amount equal to the County Engineer's estimated cost of the requesting land-owner's portion of such improvements, including traffic control and detour costs. The deposit shall be either in cash or an indemnity bond, with sureties satisfactory to Mahnomen County and conditioned upon payment of all construction costs incurred in making such culvert modification improvements and all expenses incurred by the County for engineering, construction and legal fees and any other expense in connection with making such improvements.
- F. The Mahnomen County Highway Department shall administer all construction, installation and modifications involved in the approved request.
- G. Upon completion of the culvert modification, the County Engineer shall invoice the landowner with a statement of all associated costs and the landowner shall promptly pay said costs within 30 days.

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*This Policy and Procedure shall be in effect upon approval by resolution and adoption by the Mahnomen County Board of Commissioners and may be amended from time to time, as may be deemed necessary by the County Board.*

*Duly adopted and approved by the Mahnomen County Board of Commissioners this 16th day of April, 2002 by Resolution No. DOH 04-02-15.*

Adopted: 04/16/2002

Revised: \_\_\_\_\_