

KEOKUK COUNTY POLICY FOR ROADSIDE DITCH CLEANING/MAINTENANCE OF THE SECONDARY ROAD SYSTEM

Be it resolved by the Board of Supervisors of Keokuk County, that effective this 17 day of October, 2016, the following policy shall apply to all roadside ditches serving the secondary road system under the jurisdiction of Keokuk County.

PURPOSE

The purpose of this policy is to establish the manner in which the county will perform ditch cleaning /maintenance work. This work is deemed important by the County Engineer and the County Board of Supervisors as a means of maintaining proper roadside drainage. This policy will set forth the manner in which the county will implement ditch cleaning projects, the manner in which ditch cleaning can be requested, use of the excavated material, complaint handling, and public relations.

Ditch cleaning work is a priority for the Keokuk County Highway Department and will be done only within the limits of the Keokuk County right of way unless specifically authorized by the County Engineer and only within the limits of the county budget. The county will not spend funds in excess of its budget unless additional funds are dispensed by the Keokuk County Board of Supervisors.

IMPLEMENTATION

Each year priority sites will be selected by the county engineer and staff for participation in a priority ditch cleaning program. Additional ditch cleaning work will still be done based on the needs of the Keokuk County Highway Department outside of this program as requested by landowners and other interested parties. Ditch cleaning work will be done whether or not work orders or requests by adjacent landowners are present if the site coordinates with the needs of the county for road or driveway fill and ditch cleaning at the site would be appropriate and to the advantage of the road system.

A. Requests for work: Requests for participation in the county ditch cleaning program may come from county staff, county board members, property owners, tenants, and other interested parties. The sites will all be reviewed by the County Engineer and County staff and prioritized by the County Engineer. The determination by the Engineer and staff of the priority for ditch cleaning will be final.

B. Project site selection: Sites will be selected and placed on the priority list for ditch cleaning as follows:

- 1) Improper roadside ditch drainage that may be causing road deficiencies. The plugged or filled ditch may be failing to drain resulting in water ponding adjacent to and/or along the road. This moisture can contribute to frost boils and soft

spots developing in the road during the spring thaw or rainy periods. Due to road safety concerns, these sites are first priority.

- 2) Improper roadside ditch drainage that is causing damage to tile or adjacent waterways of downstream landowners.
- 3) Improper roadside ditch drainage that is causing ponding, damaging waterways or tile on upstream properties.
- 4) Ditch cleaning requests by property owners which are not contributing to drainage problems on the road.

PRIORITY USES OF EXCAVATED MATERIAL

Excavated material from ditches in the course of ditch cleaning will be used to best meet the needs of the Keokuk County Highway Department. The cost of cleanup is fully born by the taxpayers of Keokuk County and the material excavated will be used for the best interest of the county as determined by the County Engineer and Highway Department staff. Consideration for use of the excavated material will be as follows:

- 1) Keokuk County Highway Department needs: First priority for use of soil excavated from the ditches will be for Highway Department use for road maintenance and widening, road grade building, and other construction and County related purposes. Requests for excavated soil by all others will only be considered after secondary road needs are met.
- 2) Private Haulers: Second priority for use of material excavated from ditches will be hauled to a location to be determined by private haulers, but shall not be deposited within the County right of way unless specifically authorized by the County Engineer or his/her agent. The County reserves the right to refuse to load any hauler for any reason at any time. Any and all private haulers must indemnify and hold harmless Keokuk County and its employees for any and all damage or liability that arises from any and all work associated within this policy.
- 3) Adjacent landowner use: Third priority for use of material excavated from ditches will be to return the material to the adjacent property from which the excavated material originated. The material will be deposited at a location easily accessible to County equipment. Responsibility for placing the material in its final location and any finishing necessary will be to the property owner or tenant. Property owners may use the material to construct driveways and field entrances, but only after a permit has been issued for the construction of the entrance/driveway or a permit has been issued to work in the right of way. The property owner, tenant, or agent of the property owner will be responsible to be present to shape and compact the material in a timely manner so that the deposited soil does not become a hazard to traffic or an additional erosion problem. County crews will deposit the material only, they will not work, shape

or compact the material without the direction of the County Engineer. The County reserves the right to refuse to haul or deposit excavated material to any landowner, tenant or agent for any reason at any time.

- 4) Other property owners or tenants requesting soil from the County: After County needs are satisfied, other parties requesting excavated soil may have the material hauled to them by County crews. Priority will be given to persons requesting material with the minimum haul from the ditch cleaning site. The county will haul material to the closest disposal site until such time as the nearest site receives all of the excavated soil requested and then move to other sites. Unless the Maintenance Superintendent or the General Working Foreman determines it to be the most efficient, no consideration will be given to giving equal shares of soil to parties requesting material. The prime consideration will be assuring the efficiency and productivity of the ditch cleaning operation. The County reserves the right to refuse to haul excavated material to any landowner, tenant or agent for any reason at any time.

ANIMAL WASTE/FEED LOT RUNOFF INTO COUNTY DITCHES

Animal waste or feed lot runoff accumulating and filling county ditches will not be cleaned by county maintenance personnel. Property owners and tenants responsible for livestock operations shall prevent animal wastes from filling county ditches. Requests for ditch cleaning will be handled as earlier detailed in this policy. If it is determined that the ditch is filled by animal wastes, the complaint will be turned over to the county health department. Following the health department's investigation of the complaint, the cleaning of ditch containing animal waste shall be the responsibility of the adjacent landowner and shall be at the landowner's sole expense. The ditch will be cleaned as ordered by the health department based on county and state regulations and meet County grading standards. Steps to prevent further runoff will also be required as recommended by the health department. All material cleaned from the ditches will be removed from the right of way by the landowner, or the landowner's contractor, tenant, or agent.

COMPLAINTS BY LANDOWNERS ON UPSTREAM SOIL LOSS

Complaints of upstream soil loss and deposition on downstream property by private property owners will be directed to the Keokuk County Soil and Water Conservation District. The county shall, if soil deposition is excessive within the county right of way, file official written complaint with the Keokuk County Soil and Water Conservation District on its own behalf. The site will be reviewed by the County Engineer and, at their option, the Board of Supervisors, prior to filing of an official complaint with the Keokuk County Soil and Water Conservation District. The complaint will be filed by the County Engineer and County Board Chair on behalf of Keokuk County following resolution of the Board to so file.

REQUESTED DITCH MODIFICATIONS

Keokuk County does not require that property owners mow the right of way area adjacent to their

property. Landowners desiring to do so will not be prohibited from mowing the right of way unless the right of way area is a designated prairie planting area. If property owners desire to flatten a back slope to allow mowing, install landscaping, to control drainage, etc. the property owner must request and obtain a permit to work in the right of way from Keokuk County and have the site reviewed. The site will be reviewed by County staff to determine if the desired alteration can be permitted. The requested work may not be permitted if it will restrict the natural flow of water or planned ditch drainage, limit snow storage capacity, impact road maintenance operations, impact road construction/reconstruction projects, etc.

TILE OUTLETS AND OTHER MISCELLANEOUS OUTLETS

Placement of field tile outlets and crossings shall be subject to the Keokuk County Tile Crossing Policy. House drain outlets and other miscellaneous outlets into the road right of way are allowed as long as the drain only carries drainage around the foundation or carried by gutters and downspout and are isolated from any grey or black water source. Laundry machine drains, for instance, tied into a house drain would not be allowed and should be tied into a septic system conforming to standards of the county sanitarian. If house drains are found and determined to be a nuisance, due to the outlet of suspect water, those locations will be turned over to the county sanitarian for investigation.

SEPTIC SYSTEMS-NUISANCE COMPLAINTS

If a septic system is suspected in an area requiring ditch cleaning, and the outlet may cause a health and/or safety hazard, the area may be bypassed for ditch cleaning operations and the location may be turned over to the County Sanitarian for investigation.

Michael Berg
Michael Hall
Dy/S Wood

ATTEST:

Christy Batus
Keokuk County Auditor