

PENNINGTON COUNTY  
Permit to Work within Right of Way  
Installation of Culverts

I. PURPOSE

- A. County Highways are maintained for the movement of vehicles, loads and pedestrians as provided by law. In the interest of public convenience and necessity, circumstances at times make it desirable to allow individuals and utility companies to use the highways for other purposes. However, to prevent recurring dangerous and annoying interruptions to traffic on highways, to avoid interference with future highway construction, and to provide common and uniform standards and methods of performance, it is necessary that rigid control be maintained, that standard procedure be followed, and that standard specifications and regulations be enforced through the issuance of permits to authorize all regulated activities of the public within County Highway limits.

II. APPLICATION FOR ACCESS DRIVEWAY AND OTHER WORK IN ROW

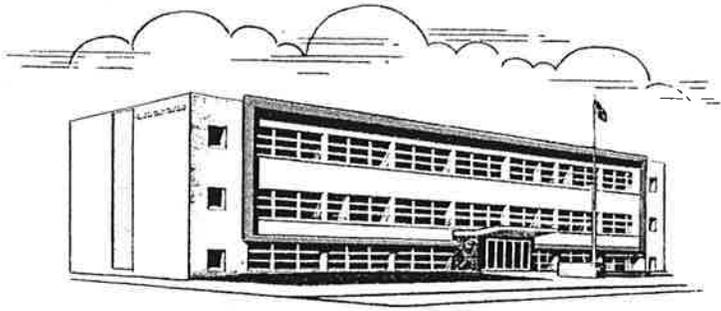
- A. Any applicant desiring to construct driveways connecting with any County Highway or other work within Right of Way shall apply at the Pennington County Highway Department and provide any necessary information. The Maintenance Foreman will investigate all proposed installations and make his recommendations to the County Engineer. The applicant will be notified as to his request. A monetary deposit of \$500.00 is required and will be returned upon satisfactory completion of the work. If work is done without a permit an After the Fact fee will be charged of \$500.00.

**No work shall be undertaken on County Right of Way until the approved copy of the application has been received by the applicant.** A survey by Red Lake Watershed or SWCD may be required to determine proper grades.

- B. The attached entrance design standards have been developed to serve as a guide in the construction of entrances. Applicants will be required to use these designs. Department inspects site, order corrective work if necessary, and returns deposit upon satisfactory completion of work.

### C. Application Procedure

1. Applicant obtains permits from Watershed, DNR, or any other agency with permit jurisdiction and provide same to County Engineer.
2. Department inspects site and determines culvert size, length and issues letter of authorization stating culvert dimensions.
3. Applicant, with prior notification, presents letter of authorization at County Shop to pick up culvert, if appropriate.
4. Applicant notifies department and installs culvert as authorized.
  - i. Trench method allowed for gravel surfaced roads.
  - ii. Jacking method required for paved roads.
5. Applicant notifies department upon completion of work.
6. New centerline culverts and removal of existing culverts require Board approval.
7. Applicant needs to get the green copy of the approval sheet before starting work.
8. All materials excavated must be disposed of outside of the County Highway Right of Way, or as the County Engineer directs.
9. All work must be done in a good workmanship like manner.
10. All work must be done without any expense to the County.
11. The Pennington County Highway Department shall be notified of the final completion of the work for approval.
12. Permit is good for one year from date of approval.



THIEF RIVER FALLS, MINNESOTA 56701

## PENNINGTON COUNTY CULVERT POLICY

The following is the Highway Department policy regarding the furnishing of culverts, located within County Right of Way, to individual land owners for accessing their property.

- \*A. The County will supply 30' of culvert to a property owner if they meet the following criteria:
  - 1. The crossing serves a parcel of a  $\frac{1}{4}$  section (nominal 160 acres) or more in size, or
  - 2. The crossing was constructed during the original construction of a legal ditch system.
- B. The property owner is responsible for the delivery and installation. Additional length, as approved by the Engineer, for new and existing crossings may be purchased by the property owner.
- C. Only one culvert will be provided per parcel meeting the criteria above. Additional field crossings may be allowed, as approved by the Engineer. Cost of shipping, materials and installation are the responsibility of the property owner. If available, used culverts may be purchased from the County at  $\frac{1}{2}$  price of a new culvert.
- D. The County will supply 30' of culvert for damaged culverts meeting the criteria of Section A. Cost for additional length, shipping and installation are the responsibility of the property owner.
- E. County Road Centerline culverts, under gravel roads, will be furnished and installed by the County. The cost of installation shall be split 50/50 with the benefiting property owner.
- F. This policy does not apply to Judicial Ditches because approval needs to go through a Joint Board.
- G. No new crossings, or modifications of existing facilities, will be made without the approval of the local Watershed District.
- H. Any construction proposed which will contribute or modify works located on or within the County Right of Way shall obtain prior approval of the County Engineer's office. A survey may be required.

\*Special exceptions may be considered in cases of extremely deep ditches and/or smaller parcels of land showing extreme need.

**STATE OF MINNESOTA  
COUNTY OF PENNINGTON**

I, Kenneth Olson, Auditor of Pennington County, do hereby certify that the above is a true and correct copy of a Policy moved by Commissioner Jensen, seconded by Commissioner Peterson, and upon vote was unanimously carried.

Date: June 11<sup>th</sup>, 2013

A handwritten signature in black ink, appearing to read "Kenneth Olson", written over a horizontal line.

Kenneth Olson, Auditor  
Pennington County

CULVERT AND DRAINAGE REQUESTS

NAME \_\_\_\_\_ TELEPHONE # \_\_\_\_\_

ADDRESS \_\_\_\_\_

CONTRACTOR \_\_\_\_\_

DESCRIPTION OF WORK \_\_\_\_\_

\_\_\_\_\_

Type of Request:

- field Entrance Culvert     farm Entrance Culvert     replace Culvert  
 lower/raise culvert     centerline culverts (see Part II. C 6)  
 other \_\_\_\_\_

Location: Road No. \_\_\_\_\_ Twp \_\_\_\_\_ Section \_\_\_\_\_

Location Sketch on next sheet:

Show location of proposed crossing in relation to the center line of the county highway and other pertinent features such as right of way line, shoulder line, curb line and edge of surfacing. The facility should also be referenced to adjacent land lines. Also, show all current crossings and driveways.

How many other entrances exist?

Deposit Policy Explained

WORK TO START \_\_\_\_\_

COMPLETED BY \_\_\_\_\_

I, We, the undersigned, herewith accept the terms and conditions of the regulations as attached hereto of the Pennington County Highway Department and agree to fully comply therewith to the satisfaction of the Pennington County Highway Department. **No work can commence until approved by the County Engineer of the Pennington County Highway Department.**

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Applicant's Signature

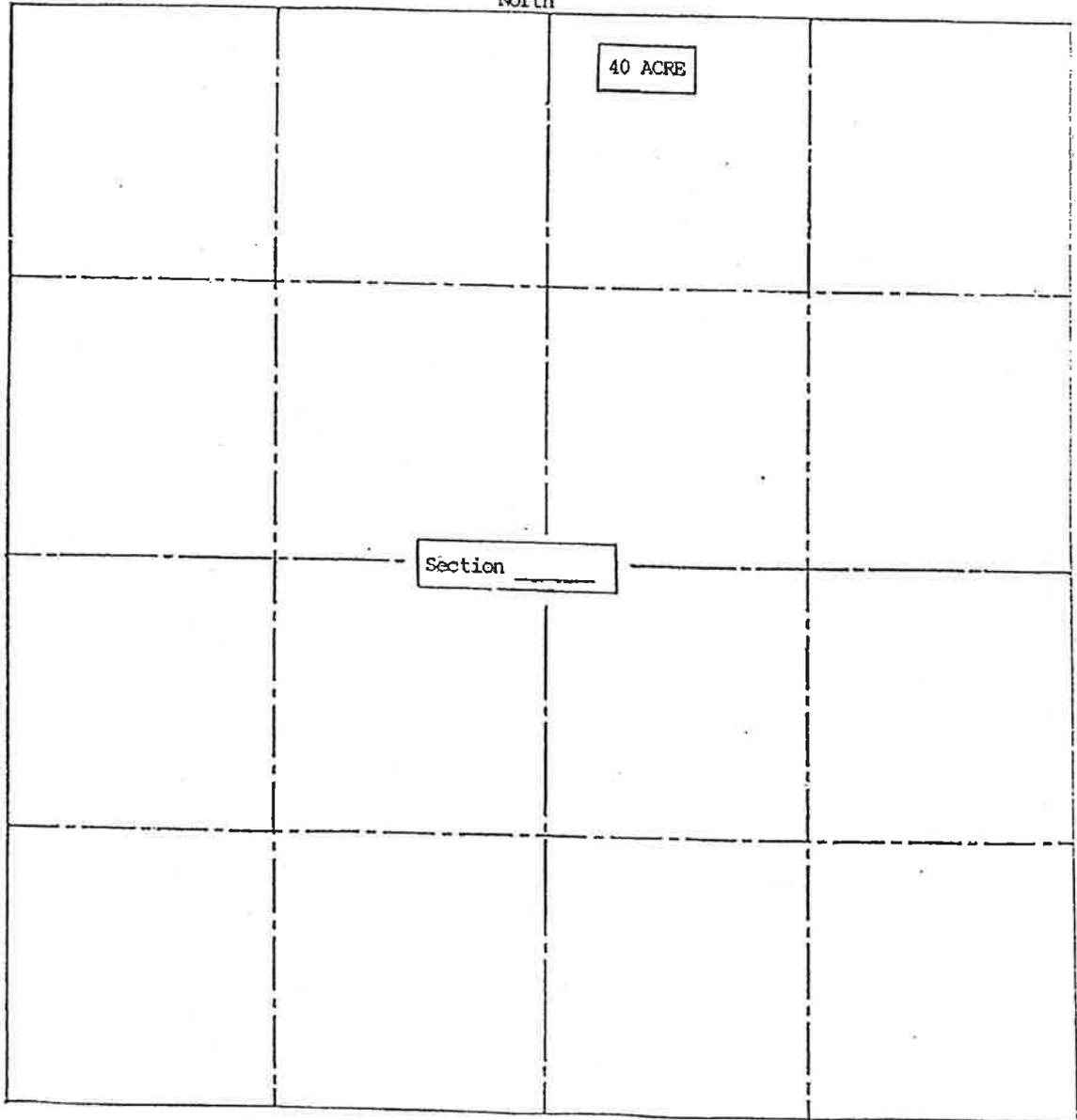
SECTION PLAT SHEET

DATE \_\_\_\_\_

TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_

COUNTY \_\_\_\_\_ CR/CSAH \_\_\_\_\_

North



40 ACRE

Section \_\_\_\_\_

AUTHORIZATION OF PERMIT

Date location checked \_\_\_\_\_, 20 \_\_\_\_\_

Comments and Recommendations:

( ) Survey Required ( ) Culvert Provided by County ( ) Landowner bears all expenses

Watershed Permit \_\_\_ Yes \_\_\_ No Culvert Size: \_\_\_\_\_ Length: \_\_\_\_\_  
Aprons are required along CSAH Roads

( ) Deposit Attached

In consideration of their agreement to comply in all respects with the regulations of the Pennington County Highway Department attached hereto. Permission is hereby granted for the work to be done as described in the above application, said work to be done in accordance with the attached requirements as herein stated:

PENNINGTON COUNTY HIGHWAY DEPARTMENT

\_\_\_\_\_ Dated

\_\_\_\_\_ Department Official

.....  
SPECIAL REQUIREMENTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

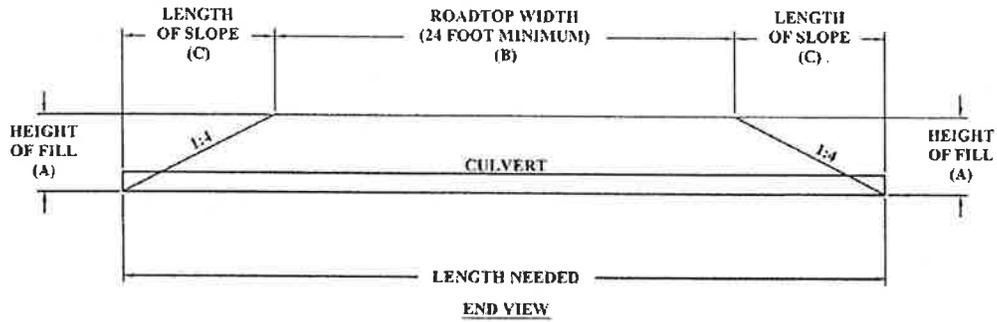
PERMIT RELEASE

Date Inspected \_\_\_\_\_ By \_\_\_\_\_

Deposit Returned \_\_\_\_\_ By \_\_\_\_\_

Copies of approval: Green applicant  
Yellow Maintenance Foreman

**PENNINGTON COUNTY HIGHWAY DEPARTMENT  
SIZING LENGTHS OF NEW APPROACHES**



THE LENGTH OF THE CULVERT IS EQUAL TO THE  
SLOPE LENGTHS (BOTH SIDES OF THE ROAD)  
PLUS THE ROADTOP WIDTH.

LENGTH OF SLOPE = (HEIGHT OF FILL x 4)

A= \_\_\_\_\_.

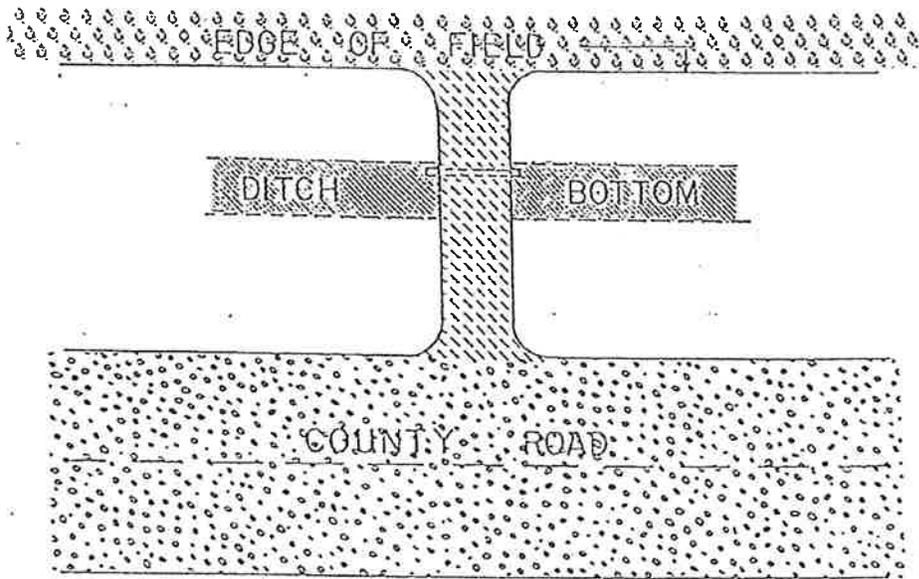
B= \_\_\_\_\_.

( 2 ( A \_\_\_\_\_ x 4) + B \_\_\_\_\_ ) =

TOTAL LENGTH NEEDED= \_\_\_\_\_.

ENTRANCES

( WITH CULVERT )



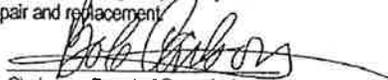
RESOLUTION

WHEREAS, flapgates can control the natural movement of flood water out of a channel,

AND WHEREAS, although flapgates may be beneficial in some cases they may unfairly and unnaturally distribute flood waters,

NOW THEREFORE BE IT RESOLVED, that in consideration of the above, that the Pennington County Board of Commissioners will adopt the following policies on flapgates:

1. The county will not furnish, install, replace, maintain or accept any liabilities associated with flapgates on culverts through County roads when water from a natural watercourse is involved, unless it is approved by the Pennington County Board of Commissioners. If approved, the landowner would assume all associated costs, maintenance and liabilities, unless the board feels the flapgate benefits an interest of the county, in which case the county may assume all costs and liabilities associated with the flapgate.
2. The County will salvage or install new, any existing flapgates if they are affected by a construction project.
3. The county will not furnish, install, replace, maintain or accept any liabilities associated with flapgates on a ditch system unless the flapgates were installed as part of the original ditch. The county board of commissioners may allow the installation of new flapgates, but all associated costs, maintenance, and liability of the flapgate will be borne by the requesting landowner. If it is determined by the ditch authority that the proposed flapgate maintains or preserves the efficiency of the ditch, then the ditch system may assume all costs and liabilities associated with the flapgate.
4. The county may furnish, install, and maintain a new flapgate if due to a road construction project, the county changes existing drainage patterns to the extent of drastically increasing flood potential to private property, there the county may consider using public funds to protect that property with a flapgate. This will apply only to legal drainage ditch systems overflowing into a private property, and the county must determine that flood potential is much greater than it was prior to the road construction.
5. Flapgates installed by the landowner should be clearly marked to avoid damage due to regular roadside and ditch system maintenance operations. If they are damaged by the county's maintenance operations and are clearly marked, the county will replace them at the county's expense. If they are not clearly marked and damaged by county maintenance operations, the landowner will bear the cost of repair and replacement.

  
Chairman, Board of Commissioners  
Pennington County

CERTIFICATION

STATE OF MINNESOTA  
COUNTY OF PENNINGTON

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Pennington at a duly authorized meeting thereof held on the

SEAL

  
County Auditor  
Pennington County