

**May 4, 2020**

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk and Vice chairman – Steve Wanders. Member – Steve Parker was absent. Also present in person were Joe Lancello, KBOE; Russ VanRenterghem, Sheriff; Andrew Ritland, Attorney; Darin Hite, IT; Tom Flaherty, Econ Dev; Andy McGuire, Engineer and Susan Brown, Mahaska County Auditor. Joining the meeting telephonically Angie Holland, Osky Herald; Connie Van Polen, Treasurer; and through live stream RD Keep, The Sun. This meeting was live streamed by Communications Research Institute of William Penn University.

Chairman Groenendyk opened the meeting at 9:00 a.m. with a moment of silence.

It was moved by Wanders seconded by Groenendyk to approve agenda for today's meeting. All present voted aye. Motion carried.

Public Comments: None

It was moved by Wanders seconded by Groenendyk to approve minutes for April 20 meeting. All present voted aye. Motion carried.

It was moved by Wanders seconded by Groenendyk to approve bills for April totaling \$659,800.56. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to set public hearing on May 18, 2020 at 9:00 a.m. for FY20 budget amendment to Mahaska County budget. All present voted aye. Motion carried.

It was moved by Wanders seconded by Groenendyk to approve 28E between City of Fremont, Mahaska County, and Sheriff for 149 hours of patrol and traffic enforcement at \$42.00 per hour; totaling \$6,258.00 for FY21. All present voted aye. Motion carried.

It was moved by Wanders seconded by Groenendyk to reappoint as recommended by the commission, Joe Durian and Julie Wells to Mahaska County Veterans Affairs Commission for new three-year terms ending June 30, 2023. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to approve the following resolution. All present voted aye. Motion carried.

**RESOLUTION NO. 2020-12**

**APPROVING AND AUTHORIZING THE APPLICATION FOR A UNITED STATES DEPARTMENT OF TRANSPORTATION BUILD DISCRETIONARY GRANT FOR THE OSKALOOSA BYPASS PLANNING STUDY PROJECT**

**WHEREAS**, the Consolidated Appropriations Act of 2020 made available \$1 billion for National Infrastructure Investments, otherwise known as “BUILD Transportation Discretionary” grants, through September 30, 2022; and,

**WHEREAS**, for this round of BUILD Transportation grants, in addition to capital awards, United States Department of Transportation will award at least \$15 million for eligible planning and preconstruction activities that do not result in construction of a capital project and,

**WHEREAS**, the OSKALOOSA BYPASS PLANNING STUDY is a surface transportation project that satisfies many of the selection criteria identified in the grant, including: located in a rural area, safety benefits, state of good repair, economic competitiveness, environmental protection, quality of life, innovation, partnership and demonstrated project readiness; and,

**WHEREAS**, this study is a continuation of the planning studies that have resulted in the construction of the existing SW US HWY 163 bypass and the currently under design NW US HWY 163 bypass; and

**WHEREAS**, the City of Oskaloosa are in partnership with Mahaska County and Mahaska Chamber & Development Group and they are preparing a grant application to continue the Oskaloosa Bypass Planning Study project; and,

**WHEREAS**, the total estimated project cost for the OSKALOOSA BYPASS PLANNING STUDY is \$950,126, with the BUILD grant application amount of \$850,126, and including \$100,000 budgeted local, state and private funds; and,

**WHEREAS**, the Board of Supervisors for Mahaska County is prepared to contribute \$40,000 towards the \$100,000 amount of the budgeted local, state and private funds for the BUILD Transportation Grant; and,

**WHEREAS**, the balance of the \$100,000 amount of the budgeted local, state and private funds for the BUILD Transportation Grant shall be funded by the City of Oskaloosa and/or the Mahaska County Chamber & Development Group; and,

**WHEREAS**, should the OSKALOOSA BYPASS PLANNING STUDY not be selected for a BUILD Transportation Grant under the Consolidated Appropriations Act of 2020, the \$40,000 contribution commitment from the Board of Supervisors for Mahaska County shall be null and void.

**WHEREAS**, the County Engineer recommends that the Board of Supervisors for Mahaska County authorize the Oskaloosa Bypass Planning Study project for the Department of Transportation National Infrastructure Investments, also known as BUILD Transportation Discretionary Grants.

**THEREFORE**, BE IT RESOLVED BY THE Board of Supervisors of Mahaska County to submit the above described grant application in the amount \$850,126 on behalf of the

Mahaska County to the United States Department of Transportation.

BE IT FURTHER RESOLVED BY THE Board of Supervisors for Mahaska County, IOWA that the County Engineer is hereby authorized and directed to execute said application and required certifications for and on behalf of Mahaska County.

It was moved by Wanders to approve Resolution #2020-13 as presented. Motion died for lack of second. It was moved by Groenendyk seconded by Wanders to approve Resolution #2020-13 with permit application fee set at \$25 rather than \$100. All present voted aye. Motion carried.

### **RESOLUTION NO. 2020-13**

## **MAHASKA COUNTY ACCESS POLICY FOR ENTRANCES/ DRIVEWAYS TO THE SECONDARY ROAD SYSTEM**

Be it resolved by the Board of Supervisors of Mahaska County, that effective this 4th day of May 2020, the following policy shall apply to all entrances and driveways serving as access to the secondary road under the jurisdiction of Mahaska County.

### **PERMIT APPLICATION & APPROVAL**

The Code of Iowa, Section 319.14, states that a person shall not excavate, fill, or make a physical change within the right-of-way of a public road or highway without obtaining a permit from the highway authority having jurisdiction of the public road or highway. It shall be Mahaska County's policy that all landowners, or their agents, tenants or designees, who desire a proposed new entrance/driveway or to modify an existing entrance/driveway to the secondary road system in Mahaska County, are required to obtain a permit before beginning any work. A permit application fee of \$25 per location will be paid to the Mahaska County Highway Department by the applicant for any proposed new entrance/driveway or existing entrance/driveway modification. Permit application fees are collected to help cover the expense of the entrance/driveway application process. Permit application fees are non-refundable. The application form shall be completely filled out by the applicant. After an application has been submitted, Mahaska County Highway Department staff will review the entrance/driveway location to determine if it will comply with location and construction requirements set forth in this policy. If the location satisfies all criteria, the County Highway Department may issue a permit and establish the culvert diameter and length if a culvert is necessary. If the entrance/driveway location fails to meet one or more location and/or construction requirements, the application may be rejected. Mahaska County Highway Department staff may provide an explanation of the reasons for such action and may provide recommendations to what changes may be necessary to obtain approval. Permits shall expire six months from date of issuance.

### **LOCATION REQUIREMENTS**

**Sight Distance:** Required stopping sight distance values shall be taken from the Instructional Memorandums To Local Public Agencies, I.M. No. 3.210, Design Aids for Rural Collectors and Design Aids for Rural Local Roads, dated April 24, 2018.

**Minimum Separation from Public Road Intersections, adjacent Entrances/Driveways and Drainage Structures:** Entrances/driveways must be offset at least 100 feet from intersecting roads. The offset distance shall be measured from center of entrance/driveway to center of intersection. Same side entrances/driveways along a road shall have sufficient separation so that there is 100 feet of separation from the end of entrance/driveway culvert to end of entrance/driveway culvert or from toe-of-slope to toe-of-slope in the case of dry fill locations. Entrances/driveways must be located at least 100 feet from the ends of bridges and culverts having a diameter or span over 48 inches. Entrances/driveways may be placed at T intersections but must be perpendicular to cross traffic and directly across from the lower leg of the T intersection. Entrances/driveways located at T intersections must meet all criteria listed in this policy.

**Relocation/Removal:** The County may require that an entrance/driveway be removed and/or relocated for any of the following reasons including, but not limited to: a) to improve road safety b) to eliminate road maintenance and drainage issues, and c) to facilitate rehabilitation, reconstruction and/or resurfacing of the road. The relocation and/or removal will be conducted by and at the expense of the landowner through a permit to work within the county right-of-way. Failure of the landowner to remove or relocate an entrance/driveway may be subject to provisions under Section 319.14 of the Code of Iowa. Additionally, it shall be Mahaska County's policy to include the expense of labor and equipment, including time lost, to remove or relocate entrances/driveways.

## **DESIGN & CONSTRUCTION REQUIREMENTS**

**Width and Alignment:** Entrances/driveways shall not be less than 24 feet nor more than 48 feet wide at the top measured along the centerline of the ditch. Entrances/driveways may be built 10 feet wider at the road shoulder line on each side of the entrance, tapering to the authorized width within 10 feet. Entrances/driveways should intersect with public roads at a 90 degree angle and may not intersect at an angle less than 75 degrees.

**Foreslopes:** Required foreslope values shall be taken from the Instructional Memorandums To Local Public Agencies, I.M. No. 3.210, Design Aids for Rural Collectors and Design Aids for Rural Local Roads, dated April 24, 2018.

**Grading & Slopes:** Entrance/driveways shall not be steeper than 5% longitudinally within public right-of-way. The entrance/driveway shall be shaped with a 4% crown minimum and must not allow water from the property to drain onto the roadway. This may require ditches on both sides and parallel to the entrance from the property to drain to the road ditch.

**Drainage Structures:** For entrances/driveways requiring culverts, solid steel, corrugated metal, reinforced concrete pipe, dual wall plastic pipe or solid wall PVC pipe may be utilized unless specifically restricted or authorized by the County Engineer. Minimum pipe size shall be 15 inches. Corrugated metal pipe must be 14 gauge minimum on all sizes up to and including 48

inches. Culverts 48 inches in diameter and larger be 12 gauge. Concrete pipe shall be of adequate section for the amount of fill above them. Plastic pipe shall meet AASHTO M 294 dual wall requirements. Solid wall PVC pipe shall be SDR 35 or better. Applicants, at their option, may install aprons at the end of the culverts or cut the end of the culvert for the placement of a step bevel. All culverts shall be installed per manufacturer's recommendations and/or specifications. Minimum cover from the top of the pipe to the surface of the driveway shall be per the manufacturer's recommendations but shall be no less than twelve inches. Mahaska County Highway Department personnel will determine the size and length for each culvert required based on the entrance/driveway width and fore slope requirements.

**Surfacing:** The landowner, or their agents, tenants or designees shall be responsible for placement and maintenance of surfacing on entrances/driveways from the shoulder edge to the right-of-way line. Entrances/driveways need not be surfaced with rock unless the applicant desires. Under no circumstances shall rock be removed from County Roads. Higher type surfacing such as concrete, asphalt, sealcoat, etc. may be allowed on paved route entrances/driveways. Higher type surfacing will not be allowed within the right-of-way on Class A rock roads or Class B minimum maintenance roads. Mahaska County shall not be liable for any surfacing cost nor for damage to entrance/driveway surfacing caused by road operation, maintenance, resurfacing or reconstruction.

## **INSTALLATION, MODIFICATION, AND MAINTENANCE**

**Requirements:** The applicant will be responsible for all costs, including but not limited to labor, materials and equipment for the construction of new entrances/driveways and/or the modification of an existing entrance/driveway. Fill material placed shall be free of debris, deleterious or foreign material (i.e. concrete, bricks, roots, rubbish, etc.). The availability of fill material as a result of County ditch maintenance or other construction/maintenance projects may be subject to the County Ditch Cleaning/Maintenance Policy. Prior to performing any entrance/driveway work, the landowner or their contractor must: 1) have adequate equipment for excavating, hauling, and compacting dirt, b) present evidence of satisfactory liability insurance, c) demonstrate knowledge of this policy's requirements, d) have personnel with grading/excavating experience and 3) have adequate work zone signs (traffic control devices). Traffic control devices shall conform to the latest Manual on Uniform Traffic Control Devices. Roads shall remain open to traffic during the construction of any entrance/driveway. Work areas shall be maintained and kept in a workmanlike manner. The placement of fill material will not be permitted in the right-of-way unless specifically authorized. Excavations will not be permitted in the right-of-way other than necessary as deemed by the County Engineer to construct the proposed entrance. The permittee shall leave the road and the road right-of-way in as good a condition as it was prior to construction. Prior to receipt of authorization to build entrances/driveways, each landowner or contractor shall submit an insurance certificate shown coverage at least equal to those required by Iowa Department of Transportation Standard Specification 1107.02 and listing Mahaska County as an additional insured. Landowners/contractors may not excavate materials from County right-of-way unless such action has been authorized in writing by the County Engineer. Landowners/contractors are responsible for obtaining any and all permits in addition to this permit prior to beginning any work. Landowners/contractors are responsible for locating any and all utilities prior to excavation.

**Repair & Maintenance:** The landowner will be responsible for the maintenance, repair and/or the replacement of entrances/driveways, including but not limited to entrance bridges, installed prior to the effective date of this policy, along with approved entrances/driveways installed after the effective date of this policy. Maintenance, repair and/or replacement work of permitted entrances/driveways shall be completed through a separate permit to work within the County right-of-way. Maintenance, repair and/or replacement work on unpermitted entrances/driveways shall not be completed until an Entrance/Driveway permit is obtained. Failure of the landowner to maintain an entrance/driveway as determined by the County Engineer, or his/her designated personnel, may be subject to provisions under Section 319.14 of the Code of Iowa. Additionally, it shall be Mahaska County's policy to include the expense of labor, material and equipment, including time lost, to maintain and/or repair entrances/driveways. Mahaska County may, at their discretion, coordinate the repair of entrances/driveways concurrently with previously scheduled road and ditch maintenance work. Expense for such repair will be agreed upon by the County Engineer, or his/her designee, and the landowner, agent, tenant, or designee prior to completion of any work. This may include, but is not limited to landowner, agent, tenant, or designee participation in the expense of culvert material, delivery and placement.

**Removal:** Entrances/driveways that are not utilized or are not in service may be removed by the County as availability allows. This work may be completed at no cost to the landowner.

**Inspection:** After permitted work has been completed, the applicant shall notify the Mahaska County Highway Department, who shall then inspect the work and either accept or reject it. If the work is rejected, the entrance may not be placed into service until the deficiencies have been corrected and the entrance has been re-inspected and accepted by the County Highway Department.

**EXCEPTIONS/DEVIATIONS/VARIANCES:** The County reserves the right to make exceptions in extraordinary circumstances to any and all of the provisions in this policy. Exceptions, deviations, and variances to the provisions of this policy will only be allowed with the written consent of the County Engineer.

**REPEALER:** All ordinances and resolutions, or parts thereof, in conflict herewith are repealed.

**SEVERABILITY:** If any section, provision, or part of this policy shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the policy as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

It was moved by Groenendyk seconded by Wanders to accept recommendation for adding Zachery Mousel to Secondary Road payroll as summer intern starting June 1, 2020 at rate of \$17.00/hr. Board also acknowledged that once Mr. Mousel has completed his BS degree in Civil Engineering and successfully completed the Fundamentals of Engineering Exam, that he could be reclassified as Asst. Engineer with a base salary of \$29.00/hr. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to approve quote from Denco Highway Construction for slip lining 16 culverts in preparation for resurfacing on T38 from Hwy 102 to Jasper Co line. All present voted aye. Motion carried.

It was moved by Wanders seconded by Groenendyk to approve agreement with Iowa DOT for Traffic Safety Improvement Program Funding for traffic control device to be shared with Marion County. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to approve bid and award contract for Project L-BR-CO62(01)-20 bridge rehabilitation (one on Fisher Ave/one on 150<sup>th</sup> St) in the amount of \$98,258.00. All present voted aye. Motion carried.

It was moved by Groenendyk seconded by Wanders to approve FY20 DOT Budget Amendment Version 1.0. All present voted aye. Motion carried.

It as moved by Groenendyk seconded by Wanders to approve FY20 DOT Five Year Construction Program Version 1.0. All present voted aye. Motion carried.

Public Comments: None.

It was moved by Wanders seconded Groenendyk to adjourn. All present voted aye. Motion carried.

Attest: \_\_\_\_\_  
Susan L. Brown  
Mahaska County Auditor

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Mark Groenendyk  
Mahaska County Board of Supervisors