

**SCOTT COUNTY ENGINEER'S OFFICE**

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JON R. BURGSTRUM, P.E.  
County Engineer

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Assistant County Engineer

TARA YOUNGERS  
Administrative Assistant

October 17, 2017

MEMO

TO: Mahesh Sharma, County Administrator

FROM: Jon Burgstrum, P.E., County Engineer

SUBJ: Public Hearing and Approval of Reclassification of Class "B" road to Class "C"

We received the enclosed petition to reclassify a section of 270<sup>th</sup> St. I have talked with these landowners a couple of times to let them know the procedure. The landowners have decided to request the reclassification which will close the road to the public. For a Class "C" road, we install a gate with a lock and no trespassing signs. The landowners will have keys to the gate and we will only maintain to the road if they request it. The purpose of the Class "C" designation is to keep the road from being damaged by the public, keep the public out of the landowner's fields, and to reduce the maintenance of the road for us. All effected landowners and tenants have signed the petition.

There is a public hearing scheduled for 5:00 on October 19<sup>th</sup> to hear public comment.

PETITION

CLASS "C" ROAD

The undersigned hereby petition the Board of Supervisors to establish the following described road as a Class "C" road. We understand that the road will then be gated by the county and only limited access allowed.

The road is described as follows:

270th Street between 1st Ave. And 10 Ave.

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
Michael August	1535 New Liberty Rd New Liberty, IA 52765	563-343-9949 2-10-2017
James E. Hutcheson	26865 1st Av. New Liberty IA 52745	563-349-9987 2/13/17
Bill Kelting	26698 10 AVE STOCKTON, IA 52769	563-340-5406 2-13-17
Benjamin J. Stivers	26618 20TH AVE STOCKTON, IA 52769	563-340-6541 2/16/17
Avery Land & Farming, LLC by David Meier	515 Sterling Drive Walcott, IA 52773	563-468-5228 5-2-2017

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES  
THAT THIS RESOLUTION HAS BEEN FORMALLY  
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

## R E S O L U T I O N

### SCOTT COUNTY BOARD OF SUPERVISORS

October 19, 2017

#### APPROVAL OF RECLASSIFICATION OF CLASS "B" ROAD TO CLASS "C"

BE IT RESOLVED by the Scott County Board of Supervisors as follows:

- Section 1. That Scott County desires to classify certain roads on the area service system in the County to provide for a minimal level of maintenance and access by means of a gate or barrier. After consultation with the County Engineer, the County has the authority to specify certain roads within the County as Area Service "C" roads pursuant to Iowa Code Section 309.57 (1995) as amended by House File 419 (1996).
- Section 2. Scott County established an Ordinance to set up the procedures and policies to re-classify said roads.
- Section 3. The County has received a petition, attached to this Resolution, signed by all landowners adjoining the road, requesting that a portion of 270<sup>th</sup> Street between 10<sup>th</sup> Avenue and 20<sup>th</sup> Avenue (approximately 1 mile) be classified as an Area Service "C".
1. Blading. Blading or dragging will not be performed on a regular basis
  2. Snow and Ice Removal. Snow and ice removal will not be performed on a regular basis. Sanding and salting will not be performed on a regular basis
  3. Bridges. Bridges on Area Service "C" roads may not be maintained to carry legal loads but will be posted as appropriate to advise of any load limitations.
  4. Weeds, Brush, and Trees. Mowing or spraying weeds, cutting brush and tree removal will not be performed on a regular basis. Adequate sight distances will not be maintained on a regular road.

5. Structures. Bridges and culverts may not be maintained on a regular basis to carry legal loads. Upon failure or loss, the replacement structure will be for traffic thereon.
6. Road Surfacing. There will be no surfacing materials applied to Area Service "C" roads.
7. Shoulders. Shoulders will not be maintained.
8. Crown. A crown will be maintained at owners request, so that proper drainage will occur
9. Repairs. There will be no road repairs on a regular basis.
10. Uniform Width. The road will be final graded to the widest possible width with no shoulder or ditches but the width may not be uniform. Maintenance of the crown will determine road width.
11. Inspections. Regular inspections will not be conducted.
12. Gate. The gate shall be purchased and installed by the County. Minor repairs to the gate shall be done by the landowners. If gate is damaged beyond repair it shall be replaced by the County; and

Section 4. The only persons who will have access rights to the road shall be:

1. the owner, lessee, or person in lawful possession of any adjoining land,
2. the agent or employee of the owner, lessee or person in lawful possession of any adjoining land,
3. any peace officer, or emergency vehicle,
4. any magistrate,
5. any public employee whose duty it is to supervise the use or perform maintenance of the road,
6. any agent or employee of any utility located upon the road.

Section 5. That Scott County does hereby establish the road described as an Area Service "C" road, with restricted access and a minimal level of maintenance.

Section 6. This resolution shall take effect immediately.