RESOLUTION ON TILE CROSSINGS
RESOLUTION 49 - 2007

WHEREAS, the Board of County Commissioners of Lincoln County, Minnesota, find that the County of Lincoln is in need of a policy regarding the issuance of permits by the Lincoln County Engineer to owners of land in need of permits pursuant to MSA 160.20 for the purpose of crossing County Roads with drain tile or connecting drainage tile with any drain tile, ditch constructed along or across the County Road, culvert or make any excavation thereof unless the owner obtains a permit from the Lincoln County Engineer.

NOW, THEREFORE, BE IT RESOLVED: that the policy of Lincoln County is as follows:

1. Tiling along a county road is not desirable and may only be constructed if approved by the County Board of Commissioners, and all above provisions are met. The County Board of Commissioners reserves the right to approve or deny permits for tile along a county road.
2. The owner of said lands shall first obtain a permit from the Lincoln County Engineer before connecting his drain with any drain tile or ditch constructed along or across the County Road or the crossing of the County Road with drain tile or making of any excavations in the road or road right of way of said road.
3. The County Engineer shall not issue the permit until the landowner has filed with the Lincoln County Engineer a Certificate of Insurance with at least $1,000,000/$1,000,000 coverage naming Lincoln County as additionally insured on the Certificate of Insurance. The Certificate of Insurance naming Lincoln County as additionally insured must be given to the County before work begins. The landowner shall hold the County of Lincoln harmless for any loss, damage or liability by reason of the construction of said drain tile or pipe, or excavation across a road or in the right of way of the road.
4. Dual wall plastic or approved PVC pipe for the tile crossing, and an inspection tee shall be placed at each right of way line; size to be recommended by the County Engineer. Crossing to be recorded by County at permittee's expense on respective land parcel(s). A post with the standard 'tile marker' shall be placed at tile inspection tees and tile outlets in road right of way. All costs shall be borne by the landowners.
5. The Lincoln County Engineer shall direct and shall condition the permit as it applies to bituminous or concrete surfaced County Roads to allow crossing only by boring through the road so as not to damage the road surface. Boring shall extend from the toe of inslope to toe of inslope or to the outside recovery zone limits, whichever is longer. Crossing a gravel road may be by boring as determined by the Engineer.
6. Permittee shall construct an open trench through the roadway only if approved by the County Engineer: and with the requirement of minimum 1:2 trench side slopes below a 5' depth and 1:4 trench slopes above a 5' depth. All roadbed backfill shall be granular up to surface or as approved by the Engineer.

7. The construction shall not interfere with any existing utility facilities in the county highway right of way.
8. The County may, with sufficient notice, incorporate such installation into contract for construction or reconstruction pursuant to MSA 160.20 Subd. 2 at no cost to the landowner.
9. Any permit issued to the landowner shall incorporate all of the above conditions of the Lincoln County Engineer in the permit that is issued to said landowner.
10. This resolution will supersede the resolution on this same subject dated May 16, 1978.
11. The permittee(s) shall assume all responsibility for obtaining a proper outlet and shall hold the County of Lincoln harmless from all liability arising out of the crossing of County Roadways.
12. Permittee is responsible for all permissions necessary such as wetlands, environmental and all other issues.
13. The County Board of Commissioners may impose additional conditions to granting a permit.

ADOPTED by unanimous vote this 2nd day of November, 2007.

Curt Blumeyer
County Board Chairman

ATTEST:

Kathy Schreurs
County Auditor   SEAL