

***GUTHRIE TOWNSHIP
ROAD POLICY***
Rev. 4-27-2015

Guthrie Township

Hubbard County Minnesota

Road Policy, Requirements & Qualifications

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Purpose

The purpose of this policy is to enact guidelines for building private and public roads. Many private and platted development roads are requested to be maintained by the Township after the lots or acreage is sold to various parties. We feel it would be unfair to the greater taxpayer to be responsible for the buildup and maintenance of such poorly deigned road. Refer to Minnesota Statute 164.07 Establishment, alteration, or vacation of town road.

This policy is designed to give general guidance to persons who want to request that the Town accept platted roads for maintenance. This policy alone does not grant any person any right or interest in the acceptance of a road for maintenance by the Township. The Township Board has the sole discretion to accept or refuse to accept any road for maintenance. Prior to accepting any platted road for maintenance, the Township may require the developer, affected property owners, or other persons requesting acceptance to enter into a recordable agreement based in part on the criteria set forth in this policy.

This Policy is for non bituminous rural local streets with a design of 45 MPH or less.

Section 1 - General Road Policy

1. The Township will maintain all Township Roads
2. The Township Board of Supervisors will have the final decision in determining which Township roads to make improvements on.
3. Before any roads are taken over and maintained by the Township, the said roads must meet Township specifications.
4. Damage to Township roads by Contractors or Homeowners while constructing new buildings or other Construction must be repaired to the satisfaction of the Township at the builders or homeowners expense.
5. Requests and Petitions for “Major” road improvements must be submitted to the Township board of Supervisors for consideration by January 1st for improvements to be made the following year.
6. Requests for blacktopping township roads must be supported by 85% of the landowners. The cost is to be shared between the Township and the landowners as follows: 60% Township / 40% Landowner for Construction costs, 50% Township / 50% Landowner for Engineering, Legal and Administrative costs. The assessment is to be not more than seven years. All landowners will be assessed evenly regardless if there is an existing building or a future building site. Also, the road, ditches, road base and general road condition must meet proper requirements for blacktopping
7. The board of Supervisors has full authority to accept or reject any request for blacktopping township roads.
8. New driveway approaches entering a township road must be reviewed by the township board. The township will provide a minimum 16 gauge 15” X 30’ metal culvert to be installed at the ditch bottom and the landowner is required to furnish “new” culvert aprons and connectors for the culvert. If a culvert is not installed per Township requirements, replacement and/or repairs will be at the Owners expense. Only one culvert is provided per landowner’s primary residents.
9. Request to replace existing driveway culverts: The property Owner is responsible to provide and install a new (minimum 16 gauge 15” X 30’0 metal culvert at the ditch bottom and the Township will provide “new” culvert apron and connectors for the culvert. If a culvert is not installed per Township requirements, replacement and/or repairs will be at the Owners expense.
10. Signage or other privately owned material is prohibited from all township road right-of-ways without the approval of the township board. Mailboxes may be installed by the landowner and must comply with postal specifications. Swing away mailbox stands are recommended.
11. This policy may be altered or amended at anytime at the Town Board's sole discretion. Current revisions may be obtained at the Hubbard County Recorder’s office.

Section 1 - General Road Policy- cont

12. Extended parking (6 hours) or more in any twenty-four (24) periods on Township roads is prohibited. A vehicle may be towed, impounded and released at the Owner's expense. No overnight parking is allowed on Township property

13. Cart ways refer to a means of access to a parcel of land (most commonly at least five acres or more in size) that would otherwise be landlocked. While created by order of the Town Board pursuant to Minnesota Statutes § 164 , a Cartway is generally intended for the benefit of the property owner(s) of one or more parcel(s) of land and must be paid for and maintained by the benefiting party.

14. Calcium Chloride may be applied by a Home Owner on a Township Road. Conditions of this application are as follows:
 1. The Calcium Chloride material and labor are at the property owners expense
 2. The maximum length of an application is up to 1/8th of a mile.
 3. The application must not extend beyond the frontage of that property owner parcel/s
 4. The Board must be notified prior to any application.
 5. The liquid application of material must not exceed the Minnesota DOT Guidelines

Section 2 - Plat Development Policy

1. The roads within the plat shall not be dedicated by the developers to the township but shall remain "public roads" for the use of the occupants of said plat until it is established as a "town road" pursuant to the procedures then required by Minnesota Statutes;
2. The developers shall establish and construct all roads within the plat in accordance with the requirements and specifications set forth hereafter (Technical Specifications), and said establishment and construction shall be effected at the expense of the developers who shall be required to furnish all engineering services, labor, materials, equipment, and all other things or services necessary to establish and construct said roads within the plat;
3. The developers shall pay the following expenses incidental to the establishment of said road as a town road; and shall indemnify and hold harmless the township from all claims arising there from:
 - a. The cost of acquiring a fee interest or such other interest in property as is necessary to permit the township to accept said road as a town road.
 - b. Any damages which the township may be required to pay in condemnation proceedings or otherwise in acquiring the right of way for the town road.
 - c. Extraordinary attorney's fees, if any, incurred by the township arising out of the establishment of said road.
4. The developers agree to indemnify and hold harmless the township from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of the establishment and construction of said roads.
5. It is further agreed by and between the township and developers that the Township Supervisors may inspect the establishment and construction of the roads and may perform all necessary tests relating to the establishment and construction in accordance with the specifications and requirements set forth hereafter. And the township has the right to reject the dedication of the road until all specifications are met
6. The developers shall correct all construction which does not comply with the specifications and requirements set forth hereafter within a reasonable time after receipt of notice from the township informing developers of said noncompliance and the necessary corrections which will effect compliance. The Township reserves the right to reject the dedication of the road until difficulties are corrected.
7. The developers warrant that all roads shall be warranted **two years** from the date said roads are deemed to be established in accordance with this agreement. A bond equal to one half the road cost and valid for two years of the completion date is also to be provided.

Section 2 - Plat Development Policy-cont.

8. Prior to the Town Board accepting private roads, 40% of the lots must be developed on such roads. Furthermore, If less than five permanent occupied dwellings exists on a road, the Township may defer such acceptance to the people at the next annual meeting.

Developed: An occupied single lot of land (its own parcel number) with a permanent dwelling.

Dwelling: A home designed for year round occupancy with two or more rooms designed or used as living quarters for one family.

9. The township does not accept or assume any legal responsibility relating to the establishment, construction, maintenance, or use of said roads by reason of the execution of this agreement, and the township further disclaims any responsibility relating to the establishment, construction, maintenance, or use of said roads until said roads are established as township roads in accordance with the law.
10. The Developer must acquire all easements for roads and a copy shall be on file with Guthrie Township.
11. The Township reserves the right to revise this road policy at any time.
12. This agreement shall be recorded with the County Recorder of Hubbard County, Park Rapids, Minnesota.
13. The Board may grant exceptions to this policy and specifications as special circumstances should dictate. Such exceptions will be added to the Board minutes as well as the addendum at the back of this document (on the official file copy at the Town hall).

Section 3 - Technical Specifications

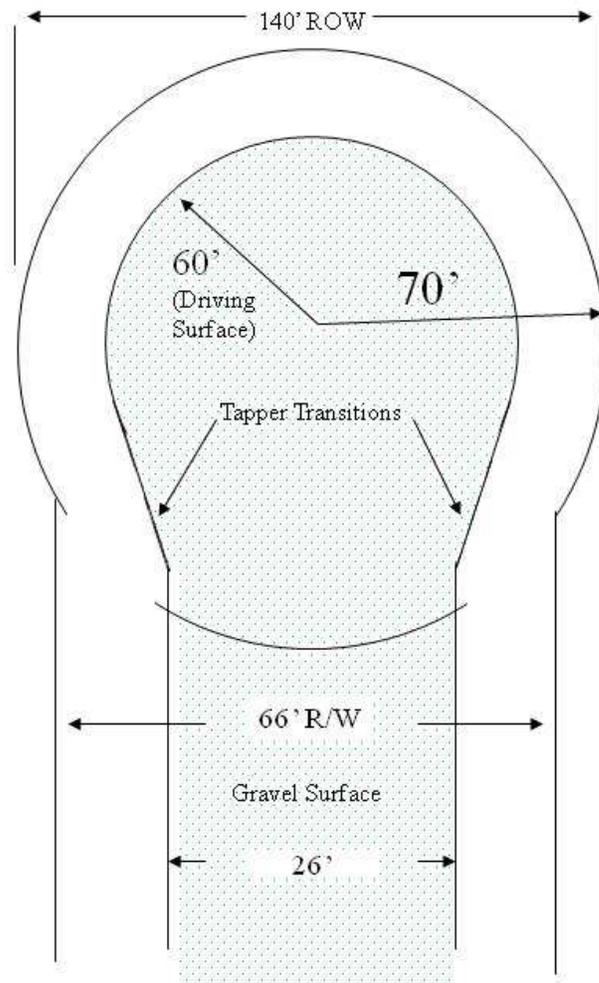
The following are the minimum road requirements that must be met in order for the township to be petitioned and take over maintenance of a private road.

1. All roads must have a 66-foot right-of-way and must be platted at 66 feet. All 66 feet of the road must be cleared. All shall intersect the township road at a right angle
2. The developers shall establish and construct the roads so as to have 26 feet of driving surface. Refer to Rural Local Street Cross Section.
3. A road taken over for maintenance by the township must have adequate sub-grade with a minimum of 4" **compacted** Class 5 gravel over the sub-grade.
4. Appropriate ditches (2.0 feet minimum bottom) must be present on both sides of the road, which provide for appropriate drainage. Refer to Rural Local Street Cross Section for slope specifications.
5. Dead end roads are prohibited and cul-de-sacs are discouraged. Refer to Cul-De-Sac drawing on page 8.
6. The developers shall install all road culverts as necessary for adequate drainage. The culverts are to be new metal 16 gauge, 18" X 40' for centerline culverts and new metal 15" X 30' for driveways. Metal aprons are also required on all culverts. Other culverts may be used but shall have the board's approval prior to installation.
7. The developers shall remove all extra fill, stumps, refuse, and any other materials relating to or resulting from the establishment and construction of the aforementioned roads. No stumps or other debris will be buried inside the road bed or in-slope.
8. The developers shall finish all roadsides, ditches, and slopes with at least 3" of topsoil and seeded with an approved mixture of seed (Highway #5 or better), so as to prevent erosion.
9. No rocks over 12" in diameter can be placed in road bed.
10. No rocks over 6" can be placed within 1' of top of road bed.

Section 3 - Technical Specifications – cont

11. Developers shall be responsible for the provisioning and installation of any/all road signs required as a result of the platted development in order to provide for public safety. i.e. stop, caution, yield, street signs, etc. Signing shall be done in accordance with the MNMUTCD (Minnesota Manual on Uniform Traffic Control Devices)
12. The road surface must have the following crowns: Gravel surface = $\frac{1}{2}$ inch of drop per foot of road width (4%).
13. The Township may consult a licensed engineer to assist with the acceptance of the proposed road.

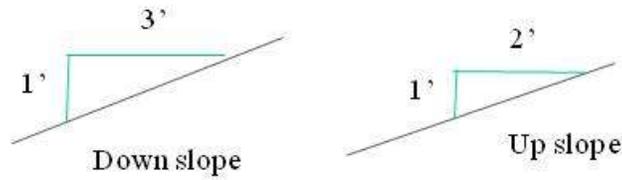
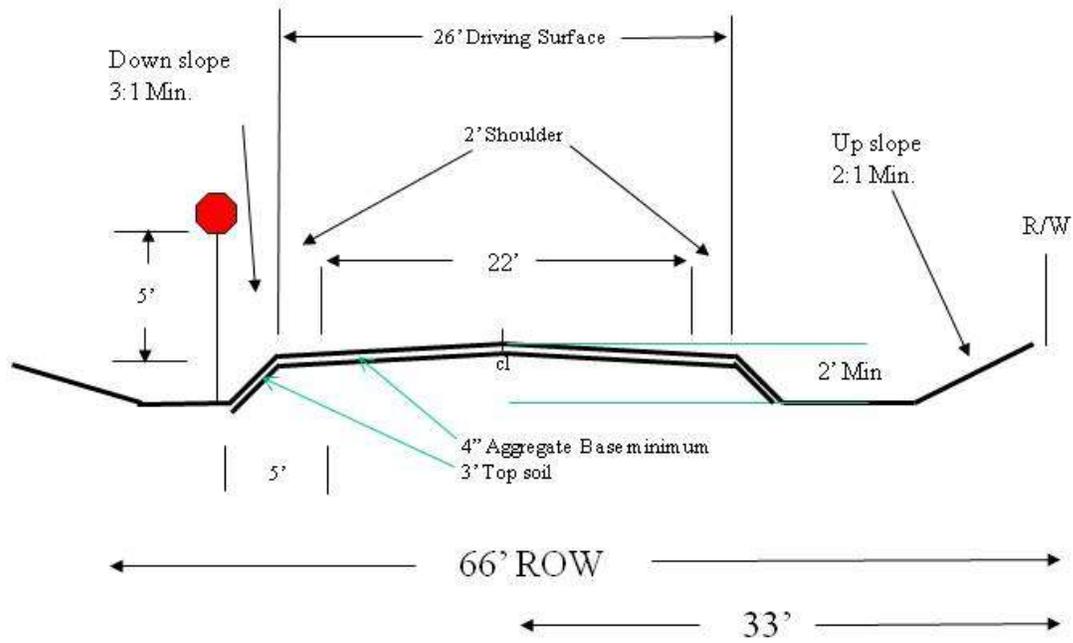
Section 3 - Technical Specifications – cont



CUL-DE-SAC Drawing

Dead end roads are prohibited but cul-de-sacs **may** be permitted. Cul-de-sacs shall have a terminal turn around which shall be provided at the closed end, with a turn around of a minimum outside right-of-way diameter of one hundred forty (140) feet and an outside curb or shoulder radius of fifty (60) feet.

Section 3 - Technical Specifications – cont



Rural Local Street Cross Section
(Not to Scale)

GUTHRIE TOWNSHIP ROAD AGREEMENT ACCEPTANCE FORM

I, _____, having fully read and comprehend Guthrie Township's Road Agreement, do agree to abide by the terms of said Road Agreement in regards to the plat, _____, in the Town of Guthrie, County of Hubbard, State of MN.

Date of agreement: _____

Developer/Landowner

Address of Developer/Landowner

Phone number: _____

APPROVED:

Chair, Guthrie Town Board

Road Supervisor

ATTEST:

Clerk/Administrator

A RESOLUTION ACCEPTING A ROAD BY GUTHRIE TOWNSHIP
TOWNSHIP RESOLUTION # _____

Guthrie Township in the County of Hubbard of the state of Minnesota

WHEREAS, the board of Guthrie Township has received a formal request to take over the road as described as follow:

WHEREAS, the town board requires that the road be built to the town road specifications for such roads before they will be accepted and maintained as a town road;

WHEREAS, it is in the best interest of the Township and the public at large to clearly establish and communicate these policies and procedures;

WHEREAS, the township has inspected the road and has determined that it meets the specifications and or otherwise satisfies the town board in its construction;

WHEREAS, the town board has determined that the nature and character of the road is such that expending town funds to maintain it is in the public interest

NOW, THEREFORE, BE IT RESOLVED by the Guthrie Township Board, Hubbard County, Minnesota hereby accepts the above described road as a Township road and will begin maintaining as such.

Adopted this _____ day of _____ By the Board.

Supervisor _____ = _____

Supervisor _____ = _____

Chairman _____ = _____

Attest: _____, Guthrie Town Clerk _____

Signed and attested copy sent to the Court house at recording time.

Addendum A – Exceptions to the Road Policy

1. Road Agreement Revision accepted November 10, 2009 – Culvert Changes
2. Developer means Lot developer or Land Owners improving the road. 4/10/2011
3. Driveway culvert size change. 4/10/2011
4. Dust Control – 9/10/13
5. Maintenance culverts – 4-27-15