

RESOLUTION ON TILE CROSSINGS

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 or 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. 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 right of way of said road.
2. The County Engineer shall not issue the permit until the land owner has filed with the Lincoln County Engineer an indemnity bond with a corporate surety authorized to do business in the State of Minnesota by the Commissioner of Insurance for the State of Minnesota which condition of bond shall be that the land owner shall hold the County of Lincoln harmless for any loss, damage or liability in the amount of \$1,000 to \$5,000 (said amount to be specified by the County Engineer) by reason of the construction of said drain tile or culvert, or excavation across a road or in the right of way of the road.
3. The County of Lincoln shall furnish up to a maximum of 100 feet of metal pipe for the tile crossing, size to be recommended by the County Engineer. The County shall assume a total financial responsibility of (two hundred) 200 dollars. All other costs and obligations shall be borne by the landowners.
4. 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. All costs over and above the culvert cost by the trenching method shall be borne by landowners.
5. 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.
6. Any permit issued to a landowner shall incorporate all of the above conditions of the Lincoln County Engineer in the permit that is issued to said landowner.
7. This resolution will supersede the resolution on this same subject dated April 20, 1976.
8. The landowners 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.

ADOPTED by unanimous vote this 16th day of May 1978

Signed by Arlie E. Svendsen, Chairman