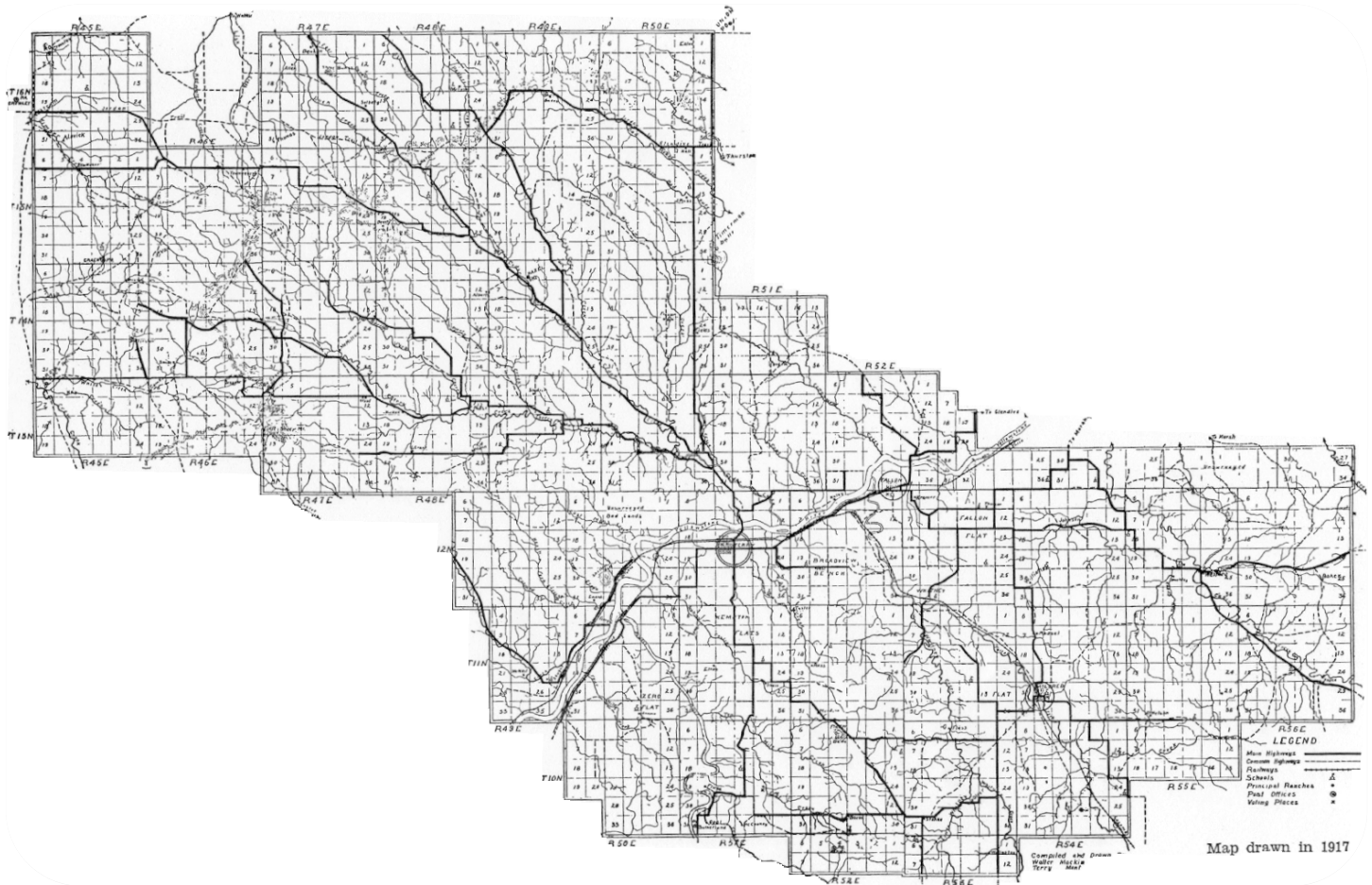


PRAIRIE COUNTY ROAD POLICIES



January 8, 2013

PRAIRIE COUNTY INFORMATION

Prairie County was formed in 1915

Land Area.....1737 square miles

*Ranked 39th out of 56 Montana counties

Population.....1179 (2010 census)

*Town of Terry 605, Rural 574

*Ranked 50 out of 56 Montana counties

Total Acres.....1,115,069

*Includes 447,195 Federal Land

*Ranked 24th out of 56 Montana Counties in Federal
Land acreage.

Total County Road Mileage.....473

PRAIRIE COUNTY 2012-2013 TAX LEVIES

(District 5-Rural)

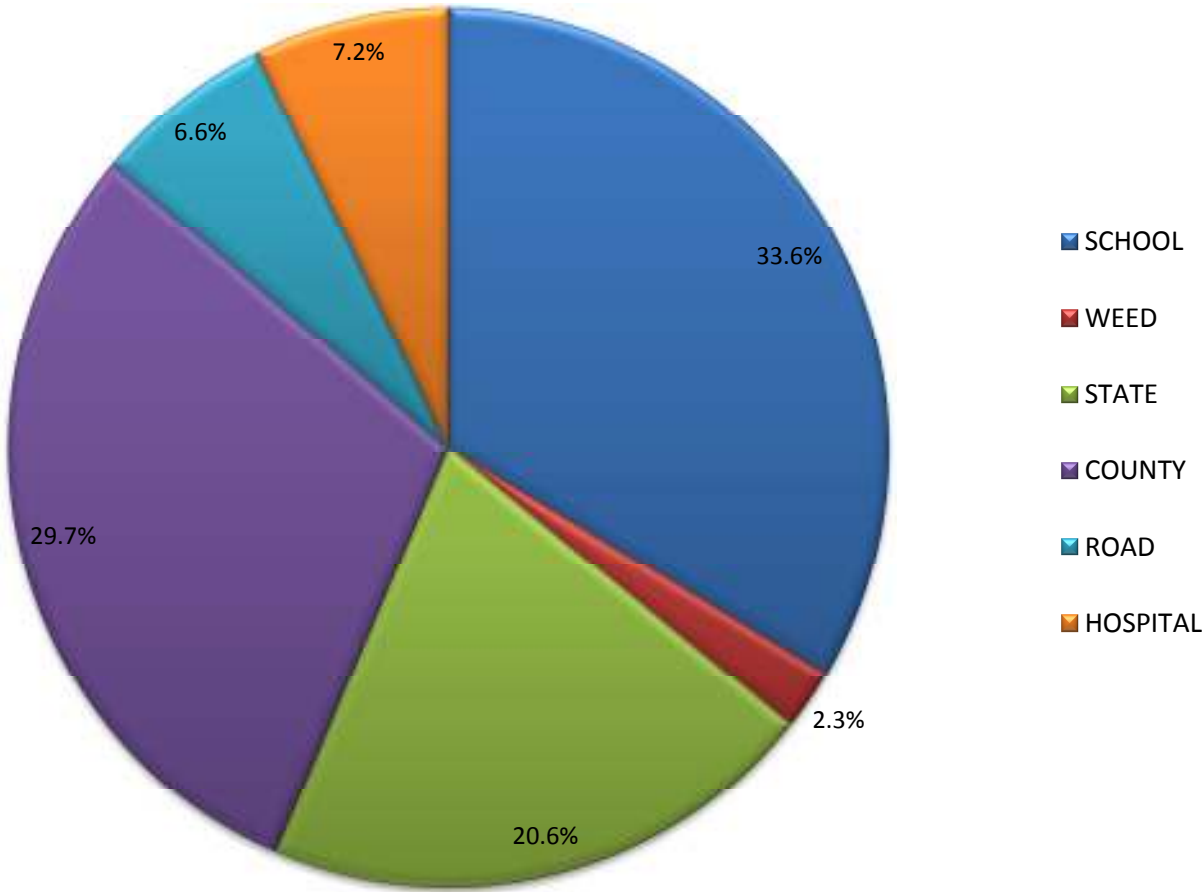


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Professionalism

- Employees are an integral part of the county team and, as such, are expected to observe the highest standards of professionalism at all times.

Safety

- The safety and health of each employee and citizen is of primary importance. It is the responsibility of all county employees to follow the safety rules and procedures.

Drug Free Workplace

- All County employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlling substances in the work place. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants and hallucinogens. County employees must abide by this Policy as a condition of employment and violations of this policy will result in disciplinary action up to and including termination.
- Those county employees requiring a CDL drivers licenses must undergo mandatory random drug and alcohol testing.

Pet Policy

- It is important that all county employees and visiting cliental have a clean, healthy and safe working environment. Therefore all county employees are prohibited from having animals and or pets on county property including buildings, grounds, vehicles and equipment except during the performances of their duties, such as, brand inspector, service dogs, K-9 dogs, 4H events, Rodeo's, county fair and other events as authorized by the County Commissioners.

Electronic Device Usage

- Employees and others using any County communication devices and computers are notified that their conversation data, images, e-mails, internet use histories and other electronic data are NOT considered private by the county, and may be subject to monitoring or viewing at the time they are issued or received, or later.

Code of Ethics

- The Montana Code Annotated 2-2-121 states that a public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds for the officers or employees private business purposes.
- The use of the county owned facilities and equipment is clearly prohibited by this section which is part of the Code of Ethics. If found that this code is not being followed, the employing entity which in this case is the County Commissioners have the authority to impose discipline against an employee for such violations.

Road Maintenance Plan

- Prairie County is responsible for those roads that have been declared through the Resolution process by the Prairie County Board of Commissioners.
- Prairie County currently has 2 categories of county roads: HIGH GRADED and UNIMPROVED MINIMALLY MAINTAINED.
- UNIMPROVED MINIMALLY MAINTAINED Roads can vary from a two-track trail to a bladed, unimproved status; whereas, HIGH GRADED ROADS are improved, graveled and in one case paved.
- Montana has not adopted a minimum standard for what a county road should look like.
- The Road Department tries to blade the High Graded roads at least twice per year unless conditions warrant more or less blading.
- Road maintenance is done on a priority basis. Those roads with school bus routes, mail routes and carrying the largest amount of traffic have the highest priority and are maintained first when conditions allow.
- Those roads that have been identified by Montana as Gas Tax Roads, that are not part of the Prairie County Road system have a very low priority for road maintenance.
- State Laws do not allow County funds to be used on Private, State or Federal Lands except to construct or to do maintenance work on DECLARED COUNTY ROADS and to provide snow plowing assistance during emergency situations. In non-emergency situations, assistance will be provided upon request only if a cooperative agreement has been executed between Prairie County and the requesting agency or landowner prior to the request.
- Prairie County tax dollars cannot be used to maintain private, state or federal roads.
- When a blade operator approaches a locked gate across a country road, the operator will not open the gate and continue blading unless otherwise instructed by the Road Supervisor.

Establishment / Abandonment Road Petition Procedures

- The procedures for the establishment / abandonment of a county road are set forth in Montana Statutes, MCA 7-14-2601 through 2616 and MCA 7-1-21.
- Landowner meets with the Prairie County Board of County Commissioners and identifies their road petition intentions.
- Landowner completes the required road petition information and gathers the 10 Prairie County freeholder's signatures. (Prairie County land owners.)
- The completed road petition is submitted to the Clerk and Records Office for processing.
- The Clerk and Records Office certify that the 10 signatures are Prairie County landowners.
- The Clerk and Records Office presents the completed road petition to the Board of County Commissioners.
- Petitions that are determined to be incomplete are returned to the interested party for additional information.
- Within 30 days of receiving the petition, one member of the Board of County Commissioners and the Road Supervisor will investigate the feasibility and desirability of the merits or demerits of the petition.
- The Commissioner and the Road Supervisor report their findings to the Board of County Commissioners.
- A public hearing is scheduled by the Board of County Commissioners.
- Notice of the public hearing is given by publishing it twice in the local newspaper, with at least 6 days separating each publication.
- All of the affected landowners bordering the petitioned roadway are given written notice by mail.
- The hearing is held.
- Name the petitioned roadway.
- Wait 30 days for additional comments to be received prior to making their final decision.
- The Board of County Commissioners makes their decision by resolution.
- Within 10 days of making their decision, the County Commissioners shall notify the landowners that border the petitioned road of their decision by certified mail with return receipt.
- The County Commissioners document their decision in the Commissioner Proceedings.
- If the road petition calls for the establishment of a new county road, Public Access Easements are gathered from the land owners adjacent to the roadway.
- The road is then platted in the Prairie County Road Book located in the Clerk and Records Office.
- Petitions requesting the Establishment and or Abandonment of a county road and the Road Petition Procedures are available at the Clerk & Records Office. (See attachments A & B Pages 19 & 20)

Revised 4/8/2014

Permits for Water, Electrical and Utility Lines and Excavation across County Roads

- No person, association, or corporation may excavate any material from any road, highway, street, avenue, or alley within Prairie County without first securing a permit from the County Clerk and Recorder. At the time of applying for said permit, the person applying shall make a cash deposit in the amount of \$150.00 with the Clerk and Recorder, for the purpose of surface restoration. In the event that any proposed excavation is longer than 25 feet, an additional cash deposit of \$4.00 for each foot in excess of 25 feet shall be required. Once the excavation project is completed and the road foreman determines that the road is returned to a proper state, the cash deposit will be returned.
- All persons, associations, or corporations making excavations in any road, highway, street, avenue, or alley shall be responsible for refilling and compacting in accordance with specifications set forth in this ordinance and shall be responsible for surface restoration within fourteen (14) days from the date of making said excavation (conditions permitting), and if said restoration is not made within said time, Prairie County shall cause said road, highway, street, avenue, or alley to be resurfaced and shall charge the party making the excavation for all costs incurred in the resurfacing. If there is no need for the county to do restoration work, the \$150.00 deposit will be reimbursed.
- In order to minimize disturbance of county roads, highways, streets, avenues, alleys or public places, boring under these county rights-of-way, shall be required whenever possible as determined by the Prairie County Road Supervisor.
- All utility lines, pipelines, power and telephone cable and lines which would be placed in the Prairie County right-of-way of any road, highway, street, avenue, alley or public place shall be constructed to allow adequate grading, rebuilding and maintenance of road beds and ditch grades. All such lines shall be a minimum of 4 feet below the ditch grade unless otherwise approved by the Prairie County Road Supervisor.
- All excavations made from, upon or in any of the said roads, highways, streets, avenues, alleys or public places as above described, for the purpose of reconstructing a sewer, water or gas line shall be backfilled with sand to a depth of 6 inches below the line and 6 inches above the completed surface of the utility lines. The sand backfill shall be tamped around the utility line to insure a minimum amount of settling around the line. Gravel shall be used for backfilling for the remainder of the excavation and as stated in the following.
- All excavations made from, upon or in any of the said roads, highways, streets, avenues, alleys or public places as above described shall be backfilled with gravel and shall be tamped every 12 to 18 inches of backfill to insure a minimal amount of settling. All excavations shall be backfilled so that the original ground-surface level will be maintained. The person applying for such permit shall restore the same surface that was on said road, highway, street, avenue or alley at the time excavation was commenced and shall resurface it in a good workmanlike manner.
- A minimum of 24 hours notice of request for inspection must be given to the Prairie County Road Department.
- All such excavations shall properly barricade, with barricades that are adequately lighted or adequately reflectorized to be visible at night. All such barricades shall comply with the laws of the State of Montana. Flag persons shall be on the job site where required by Montana law.

- Violations of the provisions of this resolution or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$300.00, and in addition shall pay all costs and expenses for restoration. Each day such violation continues shall be considered a separate offense.
- Excavation Permits and procedures are available at the County Clerk and Records Office. (See attachment D- page 22)

Cattle Guard Policy

- Landowners are required to petition the Board of Prairie County Commissioners for permission to establish new locations for cattle guards on Prairie County roads.
- It is the responsibility of the landowner to purchase all of the necessary materials including the concrete foundations (stringers) needed for the construction of the new cattle guards at the new locations. All materials must be approved by the County Road Supervisor prior to installation.
- The installation of new cattle guards on Prairie county Roads will require the County Road Supervisors approval and must meet minimum Prairie County Standards and Specifications.
- The minimum width for all new cattle guards located on HIGH GRADED Prairie County Roads with signed Public Access Easements is 24 feet.
- UNIMPROVED MINIMUM MAINTAINED Prairie County Roads will have a minimum of 12 foot cattle guards installed to replace existing gates on existing fences. The county will install the new cattle guards as needed and when time allows at county cost. Those land owners who want to have larger cattle guards than the minimum 12 ft. will be responsible for the additional cost at the Prairie County rate. Any cattle guards on newly established fences will be the responsibility of the adjacent landowners. Alternate travel routes around the cattle guards are the responsibility of the adjacent landowners.
- Landowners are responsible for attaching their fence to the cattle guards in a safe and reasonable manner.
- Prairie County will assume responsibility for the care, maintenance, cleaning, repair and replacement of all needed parts including the concrete foundations (stringers) for those established cattle guards that are located on Prairie County roads with signed Public Access Easements and those that have been declared by the resolution process.
- Landowners will be responsible for the care, maintenance, cleaning, repair and purchase of all the necessary parts needed for the construction of a cattle guard including the concrete foundations (stringers) for those cattle guards that are located on Prairie County roads without signed Public Access Easements or those that have not been declared by the resolution process.
- Landowners must petition the Board of Prairie County Commissioners for permission to remove or relocate cattle guards on Prairie County Roads. The County Road Crew at the discretion of the Board of County Commissioners will remove or relocate the cattle guard.
- All cattle guards presently in place on Prairie County roads with signed Public Access Easements are the property of Prairie County to maintain and replace as needed.
- Landowners who purchase their materials from the County or have work done by the County Road Crew will be billed at a rate established by the Board of Prairie County Road Department Sales and/or Services Price List. Copies are available at the Courthouse and at the Road Shop.
- Cattle guard permits and procedures are available at the County Clerk and Records Office. (See attachment C-Page 21).

Snow Removal Policy

- Snow Plowing in Prairie County is the responsibility of the County Road Department. Provisions, including equipment, manpower and funding for snow plowing must be made from the general maintenance division of the County Road Department. Due to budget constraint, the Board of County Commissioners may limit snow removal operations.

General Provisions

- Normal snow plowing shall be conducted during daylight hours on Monday through Thursday. Upon the discretion of the Road Supervisor, snow plowing activities may occur during other hours, on Friday and/or on weekends.
- The County Road Department will not plow snow during high winds, extreme cold, and/or minimal visibility conditions, unless it is an emergency. The County Road Department will not mobilize any equipment unless conditions have improved to such a degree that snow removal operations do not endanger the operators and the risk of equipment damage and possibility of accidents are minimized.
- Damage to any structure or obstruction within the County right-of-way boundaries is not the responsibility of Prairie County. This includes fence damage and mail boxes.
- County Roads will be sanded only in emergency situations and/or at the discretion of the County Road Supervisor.
- Private individuals will not be paid for the plowing of County roads unless preauthorized in writing by the Board of County Commissioners or the Road Supervisor.

Snow Removal Priority List

Emergency

- Prairie County Road Department will respond to legitimate emergencies (threat to life, health, or property.) In an emergency situation, the Sheriff's Department will contact the County Road Department of the need for such services. Prairie County Road Department will respond immediately to plow private driveways and lanes to assist medical personnel and the ambulance, fire personnel and fire apparatus and law enforcement personnel. Individuals or agencies may be billed for County Road Department assistance on emergencies when occurring outside of normal winter maintenance obligations or responsibilities.
- Should someone falsify an emergency, they will be charged for the cost of the emergency plowing by the County Road Department, including but not limited to any overtime that may have been incurred as a result of false reporting. Shortages of groceries, fuel, hay and etc. are foreseeable events and conditions that rural resident must assume responsibility for providing over reasonable periods of time rather on a day to day basis. A shortage is a pending need and not an emergency.

- ❖ **First Priority:** School Bus Routes
- ❖ **Second Priority:** Mail Carrier Routes
- ❖ **Third Priority:** Other County Roads depending upon need and use.
 - Within the Prairie County Road System, there are designated road segments that will not be subject to winter maintenance and snow removal as there are no full time residents served by the road segment or due to terrain and elevation factors make it not practical or economically feasible.
 - The County reserves the right to modify the priority rating or their sequence on priority rating to be more efficient in their winter maintenance operations.

Snow Removal for State Highway Department and other Governmental Jurisdictions

- Prairie County will assist other governmental agencies or jurisdictions with snow plowing assistance in emergency situations. In non-emergency situations, assistance will be provided upon request only if cooperative agreements have been executed between Prairie County and the requesting agency prior to the request.

Private Driveways and Lanes

- Prairie County encourages citizens to first contact private contractors, equipped with snow plowing equipment and in the business of providing this service, for their snow plowing needs before contacting the County Commissioners or County Road Department. The Counties first and foremost obligation is to maintain County Roads before using Counties equipment to benefit individual private parties.
- If a private contractor is unavailable for rural citizen's snow plowing needs, a private party may contact the County Road Department and sign a Private Laneway Snowplowing Agreement for these services. The property owner will be billed for these services. Such operations will be undertaken at the discretion of the County Road Department.
- Copies of the Snow Removal Policy and the Private Laneway Snowplowing Agreement are available at the Clerk and Records office and the Prairie County Road Dept. (See Attachment E-page 23).

Encroachment on Right-Of-Way

- Farming is permitted within 3 feet of the toe of the in-slope.
- Any person farming the in-slope or road top, thereby causing damage to the road, shall be held responsible and shall be billed for the needed repairs.
- Using the roadside ditch for any purpose is not recommended however in some areas the ditch along the right-of-way (ROW) is being used as an irrigation drainage ditch.
- Adjoining landowners are responsible for keeping the irrigation ditches clean and free of all debris.
- Any damage to the county road caused by such irrigation water shall NOT be the responsibility of the County.
- Irrigation water from sprinkler systems falling upon declared county roads and ROW's can cause damage to the roadway and can become a traffic hazard. The county shall make all repairs to county roads as a result of irrigation damage. The land owner shall be responsible for paying for such repairs.
- Cleaning of any culverts carrying irrigation water shall be the responsibility of the land owner.
- Prairie County shall not be liable for any damage to fences which are located in the County ROW.
- Tree plantings are not allowed on County ROW.
- Bailed forage must be removed from the ROW within a week after being baled, except for those bales of 150 pounds or more in weight. Those shall be removed immediately or placed at the furthest outer edge of the ROW.
- Posts adjoining fences to cattle guards must be set back no more than 1 foot from the ends of the cattle guard. Posts must not exceed 6" diameter. Wagon wheels, pallets, barrels etc. are not considered posts and are prohibited.
- Eighteen (18) foot or larger fence gates must be installed on one side of the cattle guard to allow passage of livestock and/or larger equipment. Commissioners Proceedings Book 4- page 446- May 21, 1973.

Removal of Forage

- All persons cutting ROW forage must have permission from the Board of County Commissioners in the form of an approved “Right-of-Way Forage Removal Agreement.” Each location requires an agreement to be submitted.
- All persons cutting forage on Prairie County ROW must carry at least \$250,000.00 per single occurrence, liability insurance. You must contact your insurance agent and tell them that Prairie County requires a form called “Certificate of Insurance.” The certificate must be attached to your agreement at the time that you apply. Agreements received without a certificate will not be considered for approval and returned.
- Removal of Forage from the ROW area on the county roads requires that a Forage Removal Agreement be signed by the Prairie County Commissioners and that the person removing the forage has a Certificate of Insurance.
- Loading operations will not be permitted from or on the main traveled portion of any highway.
- Forage Removal Agreements can be picked up at the Clerk and Records Office (See Attachment F-Page 24)

Fire Protection

- The Prairie County Road crew shall, at the request of the rural fire chief or deputy, assist in the suppression of fires.
- After a fire has been suppressed, The Prairie County Road crew shall not be responsible for rehabilitation of private property which has been disturbed in the suppression of the fire. Any rehabilitation work shall be paid by the property owner at the rate set by the Board of Prairie County Commissioners.

Speed Zones- Signs- Weight Limits

- Speed zones on County roads may be established by the Commissioners as needed and usually in response to a petition signed by a significant number of road users or residents requesting such restrictions. Requests will follow Legal procedures and may involve a public hearing.
- The County will agree to the installation of signs deemed necessary in areas where they can be effective in controlling traffic.
- Weight limits on County roads may be established as needed and as provided by law.

Mail Boxes

- Montana law requires that no mailbox or newspaper delivery box will be allowed to exist on the public highway rights-of-way if it interferes with the safety of the traveling public, the mail carrier, the customer picking up his mail, or the function, maintenance, or operation of the highway system. A mailbox installation that does not conform to the provisions of the regulation is unauthorized encroachment under Section 60-6-101 of the Montana Code Annotated.
- According to State law, mailboxes shall be located on the right-hand side of the roadway, and shall be offset from the edge of the traveled roadway a minimum distance of the greater of the following: 8 feet (where no paved shoulder exists), the width of the all-weather shoulder plus 8 to 12 inches, or the width of an all-weather turnout specified by the Montana Department of Transportation plus 8 to 12 inches.
- A property owner can be liable for a hazard on his property if the mailbox is not constructed with a break-away mail box support system.
- Any mailbox that is found to violate Montana law shall be removed by the postal customer upon notification by the U.S. Postal Service, Prairie County Road Department, or by the Montana Department of Transportation.
- Prairie County shall not be liable for any mailbox damages.
- Specifications for mailboxes may be obtained from the United States Postal Service.

Noxious Weeds

- Roads can serve as a major pathway for noxious weeds, hence, they need to be monitored and controlled.
- Noxious weeds pose an enormous threat to our economy and environment, they decrease the economic value of land and crops, reduce plant diversity and increases soil erosion.
- Identifying noxious weeds is important for early detection and eradication of new weed infestations, containments of existing infestations and preventing weeds from spreading to new locations.
- Controlling noxious weeds is a cooperative effort between Private, County, State and Federal agencies.

Culverts

- The Prairie County road department is responsible for the installation and maintenance of culverts across county roads. Culverts are placed in roads to prevent excess water from crossing road tops and from washing out the existing roads.
- Prairie County is not responsible for maintaining culverts on private roads.
- The Road Supervisor will determine the type, size and length of the culvert to be installed.

Approaches

- The Road Supervisor must be notified for approval and inspection of the site prior to installation of the approach, and a permit shall be issued.
- No person, association, or corporation may excavate any material from any road, highway, street, avenue, or alley within Prairie County without first securing a permit from the County Clerk and Recorder. At the time of applying for said permit, the person applying shall make a cash deposit in the amount of \$150.00 with the Clerk and Recorder, for the purpose of surface restoration. County will install for \$150.00 or can be done by applicant, but if county has to repair it will cost \$150.00 deposit. Once the excavation project is completed and the road foreman determines that the road is returned to a proper state, the cash deposit will be returned.
- Prairie County does not have the authority to approve approaches on state or Federal highways in the county.
- The approach is to be graded so that run-off water will not run into or across the road surface.
- Areas disturbed during the construction of the approach will be graded, shaped and seeded.
- Land owners are responsible for purchasing the necessary culverts needed to construct new approaches at new locations. All materials must be approved by the County Road Supervisor prior to installation of the approach.
- It is the responsibility of the property owner to maintain and repair their approaches. Any change maintenance, and/or repairs deemed necessary by the county to insure continued protection of life and property on or adjacent to the county road will be done at the expense of the owner.
- Violation of the provisions of this resolution or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$300.00 and in addition shall pay all costs and expenses for maintenance performed by the county to bring the approach up to specification or for its removal.
- Excavation Permits and procedures are available at the County Clerk and Records Office. (See attachment J-page 29)

Bridges

- Weight Limits on County bridges may be established as needed and as provided by law.
- Prairie County Road Department maintains all bridges on declared county roads.
- The Prairie County Road Department is not responsible for maintaining bridges on private roads.
- Prairie County replaces bridges with culverts if at all possible.
- MDOT engineers inspect all of the bridges located on declared county roads and set the weight limits.

Sales and Services

- Sale of cattle guard
 - new, 12' county-built \$1300.00
 - new, 16' county-built \$1700.00

- Sale of cattle guard (used) \$ 250.00 (Price may vary at the discretion of the Road Supervisor, depending on the condition.)

- Sale of stringers (24' concrete) \$ 250.00 each
- Sale of stringers (16' concrete) \$ 150.00 each

- Wood (if available) (Price will vary at the discretion of the Road Supervisor, depending on the condition.)

- Sale of culvert (used) ½ of new price (Price may vary at the discretion of the Road Supervisor, depending on the condition.)

- Sale of used plank (Price will vary at the discretion of the Road Supervisor, depending on the condition.)

- Labor for installation of cattle guard on private and county roads \$ 450.00

- Cleaning 24' cattle guard on private roads and county roads when no easement has been granted by land owner \$ 200.00, or \$100 per ½, as applicable

- Approaches \$150.00 plus materials

- Equipment Rental
 - Blade and operator \$ 105.00 per hour
 - Backhoe and operator \$ 75.00 per hour
 - Gravel Truck and operator \$ 100.00 per hour
 - Pay loader/Dozer and operator \$ 150.00 per hour
 - Pickup and operator \$ 40.00 per hour
 - All other equipment and operator \$ 75.00 per hour
 - Labor (per man) \$ 25.00 per hour

- Scrap metal may not be taken home, sold or otherwise distributed by county employees for personnel use.
- For Custom Road Work, contact the Road Supervisor for a Quote and Agreement Forms.

Prices adopted by Board of County Commissioners

Prices are subject to change and will be revised at least once annually.

Road Policy Amendments

- The Prairie County Commissioners reserve the authority to amend the road policies as necessary for the good of the County. Any change to this policy shall be delivered to each road department employee. Copies of the Prairie County Road policies are available to the public at the Clerk & Recorders office.

Attachments

- A- Road Abandonment Petition
- B- Road Establishment Petition
- C- Petition for Cattle Guards
- D- Excavation Across County Roads
- E- Snow Removal Application
- F- Forage Removal Agreement
- G- Gravel Hauling Agreement
- H- Blade Work Agreement
- I- Mowing Agreement

We, the undersigned, being at least ten freeholders of the road district of Prairie County, do hereby petition the Board of Prairie County Commissioner to abandon that certain county road specifically described as:

located in

Name of road, if any

Section, Township and Range

From

To

And further described on attached Exhibit as:

The lands and owners thereof affected by the abandonment of the road are:

Name and mailing address

Name and mailing address

Name and mailing address

Name and mailing address

We have contacted the above named landowners and the following landowners consent to the abandonment of the road:

The abandonment of this county road is necessary and advantageous for the following reasons:

1)

2)

3)

Dated this _____ Day of _____ 20 _____

Signature

Printed Name

Mailing Address

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

County Road Supervisor (Initial)

(Signature)

PETITION TO ESTABLISH A COUNTY ROAD

PETITION FOR CATTLE GUARD

The undersigned hereby petition for installation/removal (circle one) on a cattle guard on a Prairie County road at the location described as follows:

TOWNSHIP _____ NORTH, RANGE ____ EAST

Section ____: ____ 1/4 ____ 1/4

DATED this ____ day of _____, ____.

Signature of Petitioner

We, the Board of County Commissioners hereby approve/disapprove (circle one) the above request this ____ day of _____, ____.

Chairman

Member

Member

PETITION FOR PERMIT FOR WATER, ELECTRICAL

OR UTILITY LINE, OR EXCAVATION ACROSS COUNTY PROPERTY

The undersigned hereby petitions the Board of Prairie County Commissioners to cross Prairie County property Prairie County property described as follows:

TOWNSHIP _____ NORTH, RANGE ____ EAST

Section ____: ____1/4 ____1/4

for the following purpose:

Composition of Road: Gravel Asphalt Other

Length of Excavation:

Amount of Deposit Required: \$

DATED this _____ day of _____, _____.

Signature of Petitioner

We, the Board of County Commissioners hereby approve/disapprove (circle one) the above request this

_____ day of _____, _____.

Chairman

Member

Member

Prairie County Montana
Private Lane Snowplowing Agreement

Name: _____

Property Location: _____

Billing Address: _____

Home Phone: _____ Cell Phone: _____

The above named applicant requests that the private lane located on the above described property be plowed by Prairie County. This agreement will remain in effect until written notice of cancellation is provided by either party.

Agreement to provide snow plow services shall be subject to the following provisions:

The property owner agrees to pay the County a minimum rate of \$50.00 for a half hour of plowing each time the service is rendered. Any plowing, exceeding the half hour will be charged at the rate of \$95.00 per hour.

The property owner agrees to pay for such work not later than thirty (30) days following the date on which the County issues a statement of such charges.

Snow removal operations for private lanes will be undertaken on an as needed basis at the discretion of the County based on operator's judgment and not interfere with normal snow plowing operations on county roads. County roadways will have a priority over private roadways. Private lanes will not be plowed on overtime, weekends, or holidays but will be done when the snowplow is in the vicinity of the private lane.

The private lane must allow snowplow units easy maneuvering and safe passage, and be clear of obstructions. A turnaround area, free of obstacles with room to turn the plow unit, must be provided. Prairie County reserves the right to cancel an agreement should it be determined that the private lane is unsafe for equipment or employees.

I hereby declare that I am the owner/occupant of the above described property and take full responsibility for snowplowing charges. Further, I hereby waive any and all claims for damages to my property, both real and personal, which may be caused by Prairie County, its equipment or operator while plowing and I agree to defend and indemnify Prairie County and its officers, employees, and agents for any claim out of the plowing of my property which is not based on the sole negligence of Prairie County.

Applicant's Signature Date

Road Supervisor's Signature Date

**PRAIRIE COUNTY ROAD DEPARTMENT
YEARLY RIGHT-OF-WAY FORAGE REMOVAL AGREEMENT**

Agreement must be into Commissioners office by MAY 1st

I/We _____ (permittee) hereby request permission to cut and remove forage from the described Prairie County right-of-way during calendar year 20____.

Road Name and Section of Road to be Hayed:

_____ ?

What side(s) of Roadway? North _____ South _____ East _____ West _____

Were you issued a forage permit for this same area last year? YES _____ No _____

I agree to display 2 florescent red or orange flags at least 18" square, one on each side of my equipment, mounted at least 8' above ground level, or to use my emergency flashers. Equipment will display a slow-moving vehicle emblem as required by Montana law. I understand that Prairie County may require additional safety regulations to address special circumstances.

All equipment/vehicles used in forage removal will be parked off the County right-of-way whenever it is idle. All equipment/vehicles **must** be removed from the right-of-way within 1 week after completing forage removal operations. Failure to do so will result in the equipment being declared abandoned, towed and impounded, solely at my expense. All vehicles or equipment used in my operations must comply with all laws regulating oversized loads.

When mowing operations begin, the work must be completed without delay except during inclement weather. Baled forage in excess of 150 pounds **must** be removed or placed at the furthest outer edge of the right-of-way limits (30' from centerline of road) on the day it is baled. Baled forage **must** be removed from the right-of-way within a week after it is baled, regardless of weather or other conditions.

Should it become necessary for the County to remove or have bales removed as a result of my failure or refusal to comply with these conditions, I accept full liability for all costs incurred. Should this occur, I also relinquish all claim to the removed forage.

I am not permitted to mow in areas that are designated as prime game bird habitat areas by the Montana Department of Fish, Wildlife and Parks.

Control of noxious weeds within the Department's right-of-way is required by State Law. I understand that weed and vegetation control may involve the chemical spraying of forage/weeds within the right-of-way. It is my responsibility to contact the Department and the County Weed Supervisor in my area at least two weeks before beginning any forage removal operations and request that those areas be identified. I fully accept the consequences and liability if I fail to do so. I understand that County Weed Supervisors/Districts may have requirements on weed removal and control, and their requirements may take precedence over and interfere with this agreement. If so, I understand that the Department is not liable for the interference or responsible for the weeds' presence, and I will not attempt to hold the Department liable for them.

Permittees failure to comply with any part of this agreement is grounds for its immediate termination and loss of future privilege to remove forage from Prairie County right-of-way for a minimum of 2 consecutive years

beginning with the date of revocation. There is no guarantee that the area will be available when privilege to reapply is restored.

All work under this agreement will be performed in a safe manner and permittee agrees to protect and hold Prairie County harmless from all lawsuits, occurrences and complaints which arise from permittees operations, specifically including traffic accidents. Permittee agrees to defend, protect, indemnify and hold harmless Prairie County, MT against and from all claims, liabilities, demands, causes of action, judgments (including costs and reasonable attorneys fees), and losses to them from any cause whatsoever. This includes any suits, claims, actions, losses, costs or damages of any kind, including Prairie County’s legal expenses, arising out of, in connection with, or incidental to this agreement. Permittee assumes all responsibility to ensure and enforce safe working conditions and compliance with all safety-related rules and regulations for the benefit of anyone performing the work.

Permittee understands that this agreement may be immediately terminated at any time by either party giving the other verbal notice. Verbal notice must be followed by a written verification within 1 week. **This permit is not transferrable.**

The parties expressly agree and understand that, by this agreement or the work under it, the Permittee is not an employee or agent of Prairie County in any sense, but is only an independent contractor.

My signature confirms that I fully understand all terms, requirements and conditions of this agreement, and agree to comply with them.

_____ Permittee (signature)	_____ Date	_____ Road Administrator
_____ Name (please print)		_____ County Weed Supervisor
_____ Street, Route or Box Number		_____ Commissioner
_____ City, State, Zip Code		_____ Commissioner
_____ Phone Number		_____ Commissioner

Prairie County Gravel Hauling Agreement

Name _____

Property Location _____

Billing Address _____

Home phone _____

Cell phone _____

The above named applicant requests that Prairie County haul gravel privately.

The agreement is as follows:

The applicant agrees to pay the County a minimum rate of \$37.50 for a half hour of trucking gravel. Any hauling, exceeding the half hour rate will be charged at the rate of \$75.00 per hour. All hauling must be road related.

The applicant must take full responsibility for any damage to any objects that maybe in the Private roadway.

This application must be complete before any hauling is taking place.

Applicant's signature _____

Road Supervisors signature _____

Prairie County Blade Work Agreement

Name _____

Property Location _____

Billing Address _____

Home phone _____

Cell phone _____

The above named applicant requests that Prairie County blade privately.

The agreement is as follows:

The applicant agrees to pay the County a minimum rate of \$90.00 for blade work and \$90.00 for every hour after that. All blade work must be road related.

The applicant must take full responsibility for any damage to any objects that maybe in the Private roadway.

This application must be complete before any blade work is to take place.

Applicant's signature _____

Road Supervisors signature _____

Prairie County Mowing Agreement

Name _____

Property Location _____

Billing Address _____

Home phone _____

Cell phone _____

The above named applicant requests that the private lane located on the above described property be mowed by Prairie County. This agreement will remain in effect until written notice of cancellation is provided by either party.

The agreement is as follows:

The applicant agrees to pay the County a minimum rate of \$37.50 for a half hour of mowing. Any mowing, exceeding the half hour rate will be charged at the rate of \$75.00 per hour.

The applicant must take full responsibility for any damage to any objects that may be in the Private roadway.

This application must be complete and recorded at the Prairie County Courthouse by August 1st. When the mower goes by it will not return until the following year.

Applicant's signature _____

Road Supervisors signature _____

PETITION FOR PERMIT FOR APPROACH

The undersigned hereby petitions the Board of Prairie County Commissioners to cross Prairie County property Prairie County property described as follows:

TOWNSHIP _____ NORTH, RANGE ____ EAST

Section ____: ____1/4____1/4

for the following purpose:

Composition of Road: Gravel Asphalt Other

Length of Excavation:

Amount of Deposit Required: \$

DATED this _____ day of _____, _____.

Signature of Petitioner

We, the Board of County Commissioners hereby approve/disapprove (circle one) the above request this

_____ day of _____, _____.

Chairman

Member

Member

Resolution 13-34 - A

Resolution to Adopt Road Policies & Addenda Superseding All Other Road Policies

Whereas, the Board of County Commissioners desires to establish uniform road policies for the Prairie County Road Department;

Now, Therefore, Be it Resolved that these road policies and addenda be adopted, effective **April 15, 2013**.

BOARD OF COUNTY COMMISSIONERS


Deanna Bockness, Chair Person


Ann Marie Davis, Member


Todd Devlin, Member


Toni Kalfell
Clerk & Recorder
Clerk of the Board

Approved As To Form & Content:


Garry Bunke
County Attorney