

Leavenworth County Participatory Road Program (PRP)

2015 Revision

This program has been developed to identify and program roadway projects for improvement from gravel to chip-seal, without incurring the high cost of property acquisition. The intent is to provide a means for residents along candidate road projects, to assist in this endeavor by agreeing to donate the necessary easements in return for the chip-sealing of gravel roadway. 100% participation is required by property owners, and eminent domain will not be used in PRP.

1. Definitions:

- a. Right of Way – Typically this is a perpetual easement for roadway maintenance that is acquired by LVCO from the property owner to allow for the effective maintenance road surface, drainage ways, culverts, etc...
- b. Temporary Construction Easement – Permission to access the property owners parcel to construct the roadway. Typically this easement expire one-year after the completion of construction.
- c. Roadway – The entire cross section of the traveled way. Includes, but not limited to, road surface, clear-zone, drainage ditches, cross road drainage structures, driveway entrances, appurtenant structure, bridges, etc...
- d. Chip-Seal – Application of bituminous asphalt ‘seal’ with aggregate coating ‘chips’ as outlined in the *LVCO Road Construction and Drainage Standards*.
- e. Petition – A signed request for consideration by the BOCC for inclusion of a section of roadway under the program. This is for review only and will not guarantee inclusion and/or completion of a project
- f. Affidavit of participation – A signed document that pledges to donate the Right of Way in the event that 100% participation of the project property owners are willing to proceed.
- g. 100% participation – preliminary acceptance of a project will occur when **100% of the owners** of the property in which easements are required have signed their respective Affidavits of Participation. The project will be added to the schedule once 100% of the necessary easements have been signed and recorded. Even if there is one hold out for whatever reason, the project will not move forward.
- h. Eminent Domain– This is the process in which the municipality acquires easement through legal proceeding, often referred to as “Condemnation.” This action is outside the scope of the PRP.

2. Resident Participation: Under this program the residents along a roadway ‘participate’ through the contribution of right of way and relocation man made obstructions from within the Right of Way.

- a. Permanent Right of Way Easements include both permanent roadway and drainage (Width of easement is determined from LVCO Standards)
- b. Temporary Construction Easements – areas outside the permanent Right of Way that are necessary to construct the improvements. (Typically consists of driveway entrances and back slopes associated with drainage, these easements will expire after construction is complete).
- c. Property Owner Obstructions: Man-made and natural objects within the permanent and/or temporary easements that will impede the road way.
 - i. Fencing – will be removed by property owners prior to construction commencing
 - ii. Driveway “monuments” – may be removed by owner, but will be removed if not in conformance with the LVCO Standards (Examples include brick, stone, RR-ties, or other walls around driveway culverts). These objects are considered hazards in the clear zone.
 - iii. Trees – Any vegetation within the easement that hinders road construction will be removed. There will not be any compensation provided for these obstructions by LVCO. Design and construction will be as accommodating as possible; however circumstance often requires their removal.

3. **Leavenworth County Participation:** Under this program LVCO provides the following:
- Engineering Design – The surveying, plans and specifications needed to construct the project.
 - Administration – The utility relocation, recording of easements, permitting, etc...
 - Labor and Equipment – The manpower and machinery that is utilized in constructing the roadway.
 - Materials – The rock, oil, chips, culverts, etc... necessary to build the new roadway.
 - Maintenance – The chip-seal surface will be added to the inventory of hard surface roads and placed into the LVCO Chip Seal maintenance schedule from that point forward.

4. **Project Process, Schedule, and Participation**

- Candidate Projects will be identified under this policy by a public process and adopted by BOCC
- Notice will be mailed to adjacent property owners indicating the requirement of the PRP
 - Letter outlining the program and project
 - Affidavits of participation will be included
 - Maps showing the limits of the project and status of the property owners
 - Information, maps, and project status will be kept up to date at www.leavenworthcounty.org
- A public meeting will be held annually to inform candidate project residents of current program status
- A project will not advance to the design phase without 100% participation.
 - Surveying / Engineering design will be executed
 - A public preconstruction meeting with residents along the affected road will be held.
- Once 100% participation has been achieved, and **easements filed**, the project will be scheduled
 - Budget Authority will need to be obtained from BOCC
 - Engineering design will be finalized
 - Utility relocation will be scheduled and completed prior to construction of roadway
 - County Shop will construct the roadway at the next available opportunity
 - If the construction is to be more than one (1) year, LVCO may elect to provide chemical dust control in the interim period (see below)
 - Any and all improvements are subject to the availability of funding and budget authority as established by the Board of County Commissioners
 - Construction and surfacing may occur in different consecutive years depending on scheduling
 - Seeding of ditches within roadway will occur after completion of construction in the window outlined by standard specifications. Seeding is for erosion control, not aesthetics. Finish mowing may be performed by land owners, but is not part of standard LVCO maintenance.

5. **Other Items**

- Project Priority list adopted under policy, reviewed and updated by the BOCC annually.
- Priority numbers are for reference only, projects may be accelerated based upon achievement of 100% participation and moved up the list and onto the schedule.
- Projects with less than 100% participation will be removed from the active project list after 3 years and placed into a suspended status.

Leavenworth Board of County Commissioners



1st District



2nd District



3rd District