



Road Policy Summary

Leavenworth County Public Works Department

Updated April 2, 2010

One of the most frequently asked questions of the Public Works Department is "How can I get my road chip-sealed?" Currently there are a number of policies that govern the improvement of county roads. The purpose of the policy summary is to list the different options that are available to the citizens of Leavenworth County.

Policy on Local Service Roads. This policy was revised and approved by the Board of County Commissioners (BOCC) on September 29, 2005, and now specifically addresses the improving of the road surfaces from gravel to chip-seal.

The basic premise of this policy is that if the land owners along a particular stretch of county road agree to pay for the cost of engineering and materials, the BOCC will provide the cost of labor, equipment, and expertise in the construction of the road to the local service chip-seal maintenance standard. In order for a road to be maintained under a higher surface classification the following must be met: A valid petition must be submitted to the Board of County Commissioners. Improvement plans meeting the current county standards (see above) must be prepared and submitted for review and approval. Minimum ROW widths must be dedicated to the county by all adjacent land owners. The requestor will pay the "in-place" cost of materials, including but not limited to 8" AB-3 base, 24' width, road oil, rock chips and/or any cross road culverts required. Once these items have been met, the county will construct and maintain the improved road to the chip-seal standard.

This policy clearly states that the road must be designed by an Engineer to the current County Standard. This implies adequate geometric alignment for design speed and safety. The cost for the road must be paid in full by the residents up front, and the road will be improved by the County Shop as the schedule allows. Also, under this policy any residents unwilling to pay for the improvements are not required to do so.

Policy on Subdivision Roads. This policy is similar to the policy on Local Service road in that the total cost of the project must be paid up front, but is only available to residents who live on the roads specifically outlined in the list. The policy was developed to allow a mechanism for landowners within some of the older subdivisions to improve their roads from gravel to chip-seal. Residents along these roads are not required to acquire any additional Roadway Easements, nor engineer the improvements, as these roads were required to be built under the standards of the time.

Road improvement Benefit Districts. This mechanism for road improvement is outlined by Kansas State Statute (K.S.A. 68-701 et.seq.) This is also addressed by Leavenworth County Charter Resolution 1997-1, which authorizes the BOCC to assess the district portion of the project cost for the project at 50% (K.S.A. 68-706.)

Under this mechanism, the residents along a particular section of road will join together and form a benefit district for the purpose of improving the road. Once a valid district is created under state statute, the road will be improved to the current standards of the County Road Construction and Storm Water Drainage Standards. From this point the road will be engineered, ROW acquired, utilities relocated, grading performed, and road surfaced in the same manner as if the road were part of the scheduled road improvement program. The difference is in the funding of these improvements. The cost of these improvements must be publicly financed, and recovered

from the district residents through yearly assessments. (Similar to Sewer Districts) This may be done either through bond, revolving transportation loan from KDOT, or other mechanism.

Benefit districts allow for the cost to be apportioned over a number of years by special assessment, and all residents within the district will be assessed a fair and equitable share. The downside of this mechanism is that a substantially higher portion of the costs will be applied to the residents and the timeframe will be much longer due to the acquisition of public financing and the contracting of the work by the County.

The purpose of this document is for information and overview only. Any policies or procedures outlined herein are to be used in determining actual requirements and take precedence over any information provided within this document. If a resident would like to pursue the improvement of a road under any of these policies, like copies of any of these policies, or would like any additional information, please refer to the website at www.leavenworthcounty.org or contact the Leavenworth County Public Works Department at (913) 684-0470.

County Dust Control Program. This program was eliminated in the 2010 budget. This program was heavily subsidized, and had to be cut due to revenue shortfalls. There is a private sector alternative, but the chip-seal option for permanent road surfacing is no longer available.