

RESOLUTION  
DUST CONTROL OF COUNTY HIGHWAYS

WHEREAS: The Board of Supervisors is empowered under authority of Section 309.67 and Section 321.369 of the Code of Iowa to establish policies and provide adequate funds to properly maintain the secondary road system, and

WHEREAS: The Board of Supervisors desire to establish a uniform policy for the use of chemicals or waste material within the County for dust alleviation on county Highways, and

NOW, THEREFORE BE IT RESOLVED by the Appanoose County Board of Supervisors that the following items establish a COUNTY POLICY for the use of chemicals, fly ash, bentonite, waste oil, heavy oil, cutback asphalt, calcium chloride or lignium sulfate for dust alleviation upon county roads throughout the County:

1. No waste oil or heavy oil may be used for dust control on county roads. Cutback asphalt, chemicals or lignium sulfate may be used for dust alleviation provided material is tested and test report is filed with county. The use of waste oil for dust alleviation on roads is prohibited by rules of the U.S. Environmental Protection Agency.
2. The landowner who applies dust alleviation materials understands and agrees that there are hazards along with benefits in the use of dust alleviation materials. Depositing, placing or spilling of material on roads is prohibited as provided by Section 321.460 Code of Iowa.
3. All chuck holes that form in the treated area will be filled by owner/applicant.
4. If chuck holes form in the treated area of the Public roads and the landowner does not fill the chuck holes, the county will fill the holes during the normal maintenance (blading) of the road.
5. It is agreed that the county shall not be held responsible for retreatment of the road for dust alleviation should the holes require filling as in item above.
6. A signed permit between the landowner and Board setting out the area/location for dust treatment on Public Roads shall be on file prior to any work being started. The permits are available through approved suppliers.
7. The dust-treated area will probably be covered or destroyed about the first of October during the time granular roads are being prepared for the winter snow and ice season.

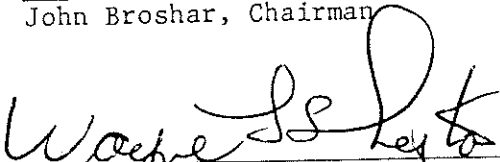
p. 2 (DUST CONTROL RESOLUTION)

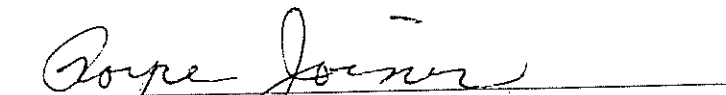
8. The owner/applicant shall take all reasonable precautions during construction to protect and safeguard the lives and property of the traveling public and adjacent property owners and shall save the county harmless of any damages or losses that may be sustained by the traveling public or adjacent property owners of such construction operations.
9. All contractors working on county right-of-way must have a Certificate of Insurance on file with the county before doing any work on County Highways. The county is to be added to the contractor's General Liability and Automobile Liability Insurance as an additional insured.

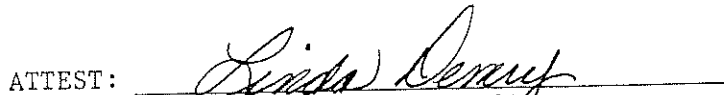
Should any of the above rules not be adhered to, the county will correct the roadway with the cost to be charged to property owner or refer the matter to the County Attorney for appropriate action.

Passed and approved this 7th day of June, 1993.

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John Broshar, Chairman

  
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Wayne Shleston, Member

  
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Royce Joiner, Member

ATTEST:   
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Linda Demry, County Auditor