# APPENDIX A: SAMPLE DOCUMENTS

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To adopt the following resolution as policy for Kossuth County, Iowa.

TILE CROSSING POLICY FOR KOSSUTH COUNTY, IOWA

Be it resolved by the Board of Supervisors of Kossuth County, Iowa, to adopt the following tile crossing policy for Kossuth County, Iowa.

The Kossuth County Board of Supervisors desires to adopt a road crossing policy that includes an option which will expedite procedures relating to projecting a tile line across a public highway to a suitable outlet.

Therefore, be it resolved and enacted by the Kossuth County Board of Supervisors that Kossuth County, Iowa, agrees to pay for the cost of materials used to cross the road right-of-way installed to Kossuth County’s specifications and Kossuth County, Iowa, will pay Seventy-five Dollars ($75.00) to offset against the expense to cut across a gravel road and One Hundred Fifty Dollars ($150.00) to offset against the expense to bore under a paved surface road all as approved by the Kossuth County Engineer.

If a landowner chooses not to be bound by the above policy, then, the procedures for securing such crossing shall be in accordance with applicable sections of the 1995 Code of Iowa 468.600 through 468.622.

A summary of those procedures is shown below:

1. File application in writing with the Kossuth County Auditor and provide that information required by Iowa Code Chapter 468.600.

2. A public hearing shall be set by the Kossuth County Auditor pursuant to Iowa Code Chapter 468.601.

3. File claims for damages at or before hearing pursuant to Chapter 468.604 of the Code of Iowa.

4. A public hearing shall be held in compliance with Iowa Code Section 468.605. If the Board of Supervisors find that the purpose is to secure more complete drainage or a better outlet and the levee, open ditch, tile or other underground drain is found to be beneficial it will be approved. If the Board of Supervisors find that a proposed drain runs in the course of natural drainage to a public road the owner of such land shall have the right to enter upon such highway for the purpose of connecting
owners drain or ditch with any drain or ditch constructed along or across said road.

5. If the supervisors approve the merits of the application Iowa Code Section 468.606 shall be followed.

The landowner, however, in making such connections or crossings shall do so in accordance with specification furnished by the Secondary Road Department at the time of filing a crossing application.

6. If the Board of Supervisors approve the tile line to be projected across the right-of-way to a suitable outlet, the expense, of both material and labor used in installing the tile line across the highway and any subsequent repair thereof shall be paid from funds available for the highway affected.

7. If funds are not available in the Kossuth County Secondary Road Fund for reimbursement of the applicant for the cost of said tile crossing at the time of the construction of the crossing, it is understood that the applicant will be reimbursed at such time as funds are available in the Kossuth County Secondary Road Fund. It is further understood that said reimbursements will be made in chronological order of approved and completed crossing.

8. The Kossuth County Board of Supervisors reserves the right to negotiate any type of cost sharing arrangement with the applicant.
CLINTON COUNTY
SECONDARY ROAD DEPARTMENT
POLICY AND PROCEDURES
FOR DITCH CLEANING AND TILE CROSSINGS

GENERAL: The County Engineer and the County Board of Supervisors deem this work important as a means of maintaining proper roadside drainage. Ditch cleaning work is a priority for the Clinton County Secondary Road Department and will be done only within the limits of the county budget. The county will not spend funds in excess of its budget unless the Clinton County Board of Supervisors dispenses additional funds.

SCOPE: The purpose of this policy is to establish the manner in which the county will perform ditch cleaning and road improvement work. This policy will set forth the manner in which the county will implement ditch-cleaning projects, the manner in which ditch cleaning can be requested, use of the excavated material, complaint handling, and public relations. The program will also address prevention of farming within the right-of-way and processing of requests for house and tile drain outlets.

PROCEDURES: Each year priority sites will be selected by the County Engineer and staff for participation in the ditch cleaning program. Projects that directly affect roadway frost heave and projects where landowners are attempting to stem soil erosion are given additional consideration and a higher priority for ditch cleaning.

Additional ditch cleaning work will still be done based on the needs of the County Secondary Road Department outside of this program. Ditch cleaning work may also be done as the site coordinates with the needs of the county for road or driveway fill and ditch cleaning at the site would be appropriate and to the advantage of the roads.

A) Requests for work: Requests for participation in the county ditch cleaning program may come from secondary road staff, county board members, land owners, tenants, and soil conservation staff. The sites will all be reviewed by the County Engineer and Secondary Road staff and, may be prioritized by the Department.

B) Project site selection: Sites will be prioritized, selected and placed on the ditch cleaning list for ditch cleaning based on the following criteria.

1. Drainage problems on site are causing road problems adjacent to the filled ditch. The plugged or filled ditch may be failing to drain resulting in water ponding adjacent to the road base. This moisture may contribute to frost boils and soft spots developing in the road during the spring thaw or other rainy periods. Due to road safety concerns, these sites are first priority.

2. Drainage problems on site are damaging tile or adjacent waterways or tile on upstream properties.

3. Ditch cleaning requests by property owners where poor ditch drainage is not contributing to drainage problems on the road.
4. The order in which the ditch cleaning requests were received.

5. Property owners may hire private contractors to perform ditch-cleaning work on ditches adjacent to their property. The owner must first obtain a work in ROW permit from the Clinton County Secondary Roads Department prior to completing any work. The limits of excavation shall be set in the permit and the work will be inspected during cleaning operations. Any nonconforming work shall be repaired at the direction of the Clinton County Secondary Roads Department at the owner’s expense. Excavation of the foreslope will not be allowed. The owner/contractor shall be responsible for cost of completing the work, utility company notification, traffic control and disposal of material. Road closure and operation of excavation equipment on county roads is not allowed.

PRIORITY USES OF CLEANED MATERIAL

Soil removed from ditches in the course of ditch cleaning will be used to best meet the needs of Clinton County. One of the goals of this program is to retain soil on the original property and work with the property owners to avoid and prevent erosion. The cost of cleanup is fully born by the taxpayers of Clinton County and the material excavated will be used for the best interest of the county as determined by the County Engineer and the Secondary Road Department staff. Consideration for use of the excavated material will be as follows:

1. First Priority: Clinton County Secondary Road needs for use of soil excavated from the ditches for driveway construction and widening, road grade building, and other construction and road related purposes. Requests for excavated soil by all others will only be considered after Secondary Road needs are met.

2. Second Priority: Adjacent landowners will be offered material excavated from ditches. The material will be deposited at a location easily accessible to the secondary road equipment – priority will be given to casting into fields adjacent to ditches. Responsibility for placing the material in its final location and any rough grading necessary will be by the property owner. County crews will level material cast into adjacent fields if requested by the property owner. Property owners are encouraged to use the material in areas that promote the conservation of soil. The property owner, tenant, or contractor of the property owner will be responsible to be present to shape and compact the material in a timely manner so that the deposited soil does not become a hazard to traffic or an additional erosion problem. County crews will deposit the material only; they will not shape and/or construct earth structures.
3. Third Priority: Landowners within five miles of ditch. Priority will be given to persons requesting material with the minimum haul from the ditch-cleaning site. For example, a person one mile away from the ditch cleaning site will get material before someone five miles away from the project site. Material to be hauled over five miles must have the approval of the County Engineer. Unless the sub-foreman determines it to be the most efficient, no consideration will be given to giving equal shares of soil to parties requesting material. The prime consideration will be assuring the efficiency and speed of the ditch cleaning operation. The county crew will deposit the material only; they will not shape final material. Material cannot be used to redirect water flow on to adjacent property.

4. Final Priority: Sub-foremen may direct the final load of any county truck returning to its respective sheds to dispose load between ditch and shed at convenient location requested by landowners.

COMPLAINTS BY LANDOWNERS ON UPSTREAM SOIL LOSS

Complaints of upstream soil loss and deposition on downstream property by private property owners will be directed to the Clinton County Soil and Water Conservation District (SWCD). The county shall, if soil deposition is excessive within the county right-of-way, file official written complaint with the SWCD on its own behalf. The site will be reviewed by the County Engineer and, at their option, the Board of Supervisors, prior to filing of an official complaint with the SWCD.

DITCH FILLING FOR LANDSCAPING

Clinton County does not require property owners mow the right-of-way area adjacent to their property. Landowners desiring to do so will not be prohibited from mowing the right-of-way unless the right-of-way area is designated prairie-planting area. If property owners desire to flatten a backslope to allow mowing, the property owner must make a request to the Clinton County Secondary Roads Department. The request will be reviewed in accordance with the Roadside Ditch Alteration Policy. Secondary road department staff will review the site to see if the desired alteration can be permitted. Clinton County does not allow ditch-filling projects if the construction will restrict the natural flow of water, restrict planned ditch drainage or eliminate needed areas for snow removal storage. The final work must meet all design standards for the road classification.

TILE OUTLETS

Placement of tile outlets into the county right-of-way is allowable. Persons desiring to outlet field tiles into county ditches must obtain a permit from the county engineer’s office. Prior to issuance of a permit, county maintenance staff will review the desired outlet location. There is no charge for the permit or review. Following issuance of the permit, the landowner may have the work completed. The county maintenance superintendent will be contacted at the completion of the work to ensure that the work was completed adequately and the ditch, backslope and road embankment have not been damaged by the contractor’s work. The contractor will restore and re-seed all disturbed areas to avoid erosion damage. Repair work requested by the county not completed by the landowner and/or his contractor will be completed by county crews and billed to the landowner.
TILE CROSSINGS

All requests to have underground field tile crossings installed through the county right-of-way must be directed to the county engineer's office for a permit and standards for installation. The contractor shall coordinate field installation with the county maintenance crews and local utility companies. The county will furnish and install material necessary to complete tile crossing as their schedule allows. The county will not be responsible for material or contract labor completed adjacent to county right-of-way, that which is part of drainage districts, or work performed at the direction of the landowners with or without County Engineer approval. Cost for newly permitted and approved tile installations and roadway restoration shall be borne by the County. After initial construction tile repair work costs shall be borne by the County including any road repairs that are associated with the tile repair.

The landowner may employ a private contractor to construct a tile outlet or crossing at the property owner's expense. The permit and approval process shall be the same. The landowner is responsible for ensuring that all work complies with wetland legislation as determined by the Natural Resources Conservation Service and/or the Corps of Engineers. Clinton County will not review or coordinate these activities on the landowner's behalf. Construction that results in the ponding of water in county right-of-way is not allowed. Permit is required before beginning work. Secondary road staff will inspect the work and any work not meeting the county requirements will be removed and replaced at the owner's expense. The owner is responsible for utility location for the private contractor. The County will provide traffic control.

Schedule 40 PVC pipe or equivalent shall be used for all crossings. Drop inlets or risers are required five feet inside ROW lines. Any material or labor to be billed to the county must be pre-approved in writing and separate from any billing for other work completed. Private individuals installing the tile must have an approved permit and notify the county 48 hours in advance of tile crossing installation, and will be reimbursed for material and labor costs only. The county will provide any rock necessary to restore the condition of the road surface after new installations. The contractor or landowner is to notify the county per the permit terms to allow county maintenance staff to inspect the finished crossing for conformance with county standards before pipe backfilling and after work is complete.

SEPTIC SYSTEMS – NUISANCE COMPLAINTS & HOUSE DRAIN OUTLETS

If a septic system is noted in an area requiring ditch cleaning, and the septic system outlet is determined to be causing a health and safety hazard for personnel attempting to do ditch cleaning, the area will be bypassed for ditch cleaning and the septic tank outlet location will be passed on to the county environmentalist's office for attention and upgrading.

House drain outlets into the road right-of-way are allowed as long as the drain only carries gutter rainwater, foundation drains, or non-septic floor drains. House drains determined to be a nuisance, due to the out letting of soapy or suspect water will be reported to the county health department office for investigation.
FARMING IN THE COUNTY RIGHT-OF-WAY

Cultivating farm crops within the right-of-way leads to possible degradation of the ditch bottom and increased erosion. Farm crops within the right-of-way are not conducive to soil conservation or proper roadside drainage. Farming of the right-of-way is not permitted under the county's permanent easement for road purposes and need not be allowed. This is not intended to prevent haying of the roadside, which is expressly allowed by the Code of Iowa, but only prevent the cultivation of the right-of-way leading to the encroachment of and eventual loss of the county road ditch.

If it is observed that a property owner or their tenants till the ground and plant crops within the county right-of-way, the landowner will be sent notice by certified mail upon the observation of tilling into the ditch to cease planting in the right-of-way. The property owner will be asked to restore and re-seed the area affected. The county will, at the request of the landowner, delineate the approximate right-of-way line by placing ROW stakes on the right-of-way line for the reference of the property owner. If the right-of-way is not restored, the county will, without notice, mow the crop, restore the ditch and backslope to the outside of the right-of-way and bill the landowner for the cost of the restorative work. If the bill is not paid, the cost of restorative work will be placed as a tax lien upon the landowner's property.

APPROVED BY THE CLINTON COUNTY BOARD OF SUPERVISORS
Dear

A petition has been presented to the Boone County Board of Supervisors, as Trustees for Boone County Drainage District No.__________, requesting that an investigation be conducted and repairs be made (i.e. open ditch cleanout) as soon as possible. This proposed ditch cleanout would extend beyond the current drainage district boundary and your property may be involved.

Pursuant to the 1990 Farm Bill each property owner that may be affected must fill out the Form No. 1026 at the Boone County A. S. C. Office, located in Boone on U. S. Highway 30, prior to the time that any further work may proceed in this matter. The S. C. S. Office will then make a technical determination as to the impacts this project may have on the designated wetland areas and if the project will be allowed.

Please fill this form out as soon as possible to expedite this project.

Sincerely,

David T. Anthoney, P. E. & L. S.
Boone County Engineer

DTA/dvm
DRAINAGE DISTRICT PETITION

The undersigned hereby petition the Boone County Drainage District Trustees for the improvement of the following problem in Drainage District Number 177 in Yell Township.

Return this form to the Boone County Auditor.

Problem:

Allow petitioner to modify existing outlet of said DD #177

PETITIONERS SIGNATURES

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<tr>
<th>NAME</th>
<th>OWNER</th>
<th>LOCATION OF LAND</th>
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(Additional names may be placed on back of this form)

Date received by the Boone County Auditor

Date received by the Boone County Drainage district Trustees

Action Recommended:

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________
DRAINAGE PETITION

TO THE BOARD OF SUPERVISORS OF __________________________ COUNTY, IOWA:

The undersigned ask that a drainage __________________________
commencing at __________________________

and running thence __________________________

and terminating at __________________________

be __________________________

Your petitioners further state that the lands situated in __________________________

are subject to overflow (or are too wet for cultivation or subject to erosion or flood danger), and the public benefit, utility health, convenience and welfare will be promoted by the above mentioned project.

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PRELIMINARY DRAINAGE BOND

STATE OF IOWA, COUNTY, SS.

KNOW ALL MEN BY THESE PRESENTS:

That we, ___________________________________________________________________, of the County of ____________________________________________________________________, and State of Iowa, are held and firmly bound unto the County of ____________________________________________________________________, in the sum of _____________________________________________________________________ DOLLARS for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, and every one of them, firmly by these presents.

THE CONDITION of the above obligation is such, that whereas ____________________________________________________________

has this day made application by petition to the ____________________________________________________________, of said County, to appoint an engineer to examine and survey ____________________________________________________________, and take the necessary steps to drain said lands.

Now if the said ____________________________________________________________, shall pay all costs and expenses that may be adjudged against them by the Board of Supervisors in accordance with the statute in such case made and provided, then this obligation to be void, otherwise to be and remain in full force and effect.

WITNESS our hands, this ________________________ day of ____________________________________________________________________, A. D., 19 ______________.

________________________________________________________

STATE OF IOWA, COUNTY, SS.

I do solemnly swear that I am a resident and freeholder of the State of Iowa, and have property in said State beyond the amount of my debts in the sum of _____________________________________________________________________ DOLLARS and have property in this State exempt from execution equal to the sum of _____________________________________________________________________ DOLLARS.

________________________________________________________

I do solemnly swear that I am a resident and freeholder of the State of Iowa, and have property in said State beyond the amount of my debts in the sum of _____________________________________________________________________ DOLLARS and have property in this State exempt from execution equal to the sum of _____________________________________________________________________ DOLLARS.

________________________________________________________

Subscribed and sworn to by ____________________________________________________________, before me, this ________________________ day of ____________________________________________________________________, A. D., 19 ______________.

________________________________________________________

The above bond and sureties approved this ________________________ day of ____________________________________________________________________, A. D., 19 ______________.

By ______________________________________________________ Auditor

________________________________________________________

By ______________________________________________________ Deputy
REQUEST FOR DRAINAGE REPAIRS

DATE ________________ 20

TO THE BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA:

Gentlemen: We (I) hereby request that repairs be made on Drainage District
Number __________________________, at approximately the following
location: Section ________ Township ________ Range ________

Owner of Property: ______________________________________

Problem: ________________________________________________

Signature

Phone No. ________________________________________________

Foreman: ________________________________________________
REQUEST TO DRAINAGE DISTRICT TRUSTEES

I acknowledge that I am requesting that the Drainage District Trustees (Supervisors) investigate and possibly make certain repair work. I have contacted the Supervisors and/or Auditors Office to prepare a written Work Order for said repairs.

I believe that the area in question is in a Drainage District under the supervision of the Drainage District Trustees, and therefore the Drainage District would be responsible for payment of any costs incurred during investigation or repair in that area.

Every effort is made beforehand to determine whether the proposed repairs are, in fact, under the Drainage District’s control. If, during the course of investigation or repairs, it is discovered that the tile or related structures needing repair are NOT under the Drainage District’s control, and are actually privately owned [as determined by the contractor or a qualified engineer], I agree to reimburse the Drainage District or pay directly for any expenses incurred by this Work Order.

Dated this_______day of______________, 2___

________________________________________

Petitioner
Dear Property Owner:

On May 28, 2002, the Board of Supervisors, for the Trustees of Drainage District 25, determined that an assessment is necessary. Please read the enclosed copy of the resolution for details. At your request, any assessment(s) over $100 may be paid in ten annual installments. You must make this request before June 28, 2002, to the Polk County Treasurer. You have until June 30, 2002, to pay any or all of your assessment without interest. The first payment is due with property taxes in September, 2002. This assessment was certified May 31, 2002.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Certificate Number</th>
<th>Assessed Amount</th>
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<tr>
<td>230/00340-000-000</td>
<td>37075-00</td>
<td>$5.00</td>
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If you have any questions concerning the above, contact the Trustees of Drainage District 25, Harry Kimberly and John Palvey.
APPLICATION FOR APPROVAL OF CONSTRUCTION
WITHIN CLINTON COUNTY RIGHT-OF-WAY

This is a Permit Application for telecommunications, electric, gas, water, earthwork, drainage and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name:__________________________

Street Address:__________________________

City, State & Zip Code:____________________

Contact Person:__________________________

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.

2. Written Notice. At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction. Permits will be issued for a maximum period of one year.

3. Inspection. The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector’s official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.

4. Inspection Fees. (Utility Permits Only) Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid $100.00 permit fee made payable to the County Treasurer’s office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.

5. Requirements. The installation inspector shall assure that the following requirements have been met:

A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.

B) Depth – (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

- Telecommunications.....36” Electric.....48”
- Gas..............................48” Water.....60”
- Sewer.........................60”

Page 1 of 3
C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.

D) All tile line locations shall be marked with references located in the R.O.W. line.

E) No underground utility lines shall cross over a crossroad drainage structure without written approval.

F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.

G) A joint assessment of the road surfacing shall be made by the applicant and the Road Maintenance Superintendent both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition excluding tile crossings. After surfacing has been applied, the road surface shall be reviewed by the Road Maintenance Superintendent once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.

H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.

I) Areas disturbed during construction which present an erosion problem shall be rectified by the applicant in a manner approved by the County Engineer.

J) All trenches, excavations, and utilities that are knifed shall be properly tamped.

K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.

L) Paved road utility crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.

Non-Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.

Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.

County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of $100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.

Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be $1,000,000.
10. Permit Required. No applicant shall install any lines unless such applicant has obtained a permit from the County Engineer and has agreed in writing that said installation will comply with all ordinances and requirements of the County for such work. Applicants agree to hold the County free from liability for all damage to applicant's property which occurs proximately as a result of the applicant's failure to comply with said ordinances or requirements.

11. Relocation. The applicant shall, at any time subsequent to installation of utility lines, at the applicant's own expense, relocate or remove such lines as may become necessary to conform to new grades, bridge construction, alignment or widening of R.O.W. resulting from maintenance or construction operations for highway improvements.

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<th>DATE SUBMITTED</th>
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APPROVAL:

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<th>DATE</th>
<th>COUNTY ENGINEER</th>
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APPROVAL: Required for Franchise Utility Permit Applications Only

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<tr>
<th>DATE</th>
<th>CHAIRPERSON, BOARD OF SUPERVISORS</th>
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PERMIT APPLICATION DRAINAGE CONSTRUCTION IN PUBLIC RIGHT-OF-WAY

__________________________________________ owner/renter of the ____________________________

of Section __________________ Township ____________________________

Range ______________ applies for a permit to enter upon, or cross a Boone County Secondary highway, with an ______________ inch diameter drainage tile.

The drainage area served by said drainage tile is __________________________ acres.

The tile size, drainage area served, gradient, depth of tile, etc., was recommended or designed by ____________________________

Depth of the tile from flow line to road ditch elevation is __________________________;
to roadway elevation is __________________________.

Intakes to be installed in road ditches – (yes) (no)

Intakes are requested by

________________________________________________________________________

(property owner)

________________________________________________________________________

(renter)

________________________________________________________________________

(County)

If intakes are to be installed, such installation will be accomplished by Boone County personnel only.

If it is necessary for drainage tile to cross the highway, Boone County will furnish at no charge __________________________ feet of __________________ inch diameter corrugated metal pipe culvert.

The corrugated metal pipe culvert is to be picked up at the nearest Boone County Yard by the property owner or contractor.

All backfilling for full width of the roadbed to be accomplished with suitable material and proper compaction effort. The top one (1) foot of backfill material shall be gravel or crushed stone, unless directed by the County Engineer. Boone County will furnish the gravel or stone, delivered to the site at no charge. Any excess amounts of earth excavation must be removed from the highway right-of-way.

In addition to furnishing the above materials for a tile crossing the highway, Boone County will pay to the property owner, for labor and equipment, the sum of ______________ Dollars.

Any necessary road closing signs shall be picked up at the Boone County maintenance yard and returned upon completion of the project by the property owner or contractor.

Boone County will be notified twenty-four (24) hours in advance of starting construction operations in right-of-way.

The (Landowner)(Renter)(Contractor) does hereby agree to hold harmless, indemnify, and defend the County of Boone, its Supervisors, Officers, Employees, and Agents, against any and all claims, losses, damages, or law suits for damages, arising from, allegedly arising from, or related to the provision of services hereunder by the contractor, landowner, or renter under the Permit Application Drainage Construction in Public Right-of-Way.
The (Landowner)(Renter)(Contractor) does further agree, that in order to protect itself, as well as Boone County, under the indemnity agreement provision, hereinabove set forth, the (Landowner)(Renter)(Contractor) will at all times, during the term of this agreement have and keep in force, a general liability insurance policy in the amount of not less than _______ Dollars.

The (Landowner)(Renter)(Contractor) agrees that it shall not cancel or materially change said policy without _______ days notice to Boone County. The Certificate of Insurance will be provided to the County within _______ days of signing of this agreement.

Signed this _______ day of __________________________

APPROVED BY BOONE COUNTY

(Property Owner)

BY

(Renter)

(Boone County)

(Contractor)

TILE CROSSING AGREEMENT

In the event the foregoing permit application involves a tile crossing a secondary highway, and said tile will enter upon, or cross property owned by another person, the following agreement must be completed:

Section _______ Township _______ Range _______
and Section _______ Township _______ Range _______
jointly agree to the installation of _______ inch tile crossing the County Highway _______ to drain the above described land.

(Property Owner)

(Property Owner)

Signed this _______ day of _________, 20 _______

Subscribed and sworn to, before me,

this _______ day of _________, 20 _______

Notary Public, in and for the State of Iowa
SIOUX COUNTY SECONDARY ROAD
TILE CROSSING PERMIT

Sioux County agrees to pay all tile costs to cross the roadway right-of-way provided:

1. The permit is signed by all landowners.

2. The tile crosses the R.O.W. and connects to a functioning tile.

3. Sioux County reserves the right to approve or reject the method of crossing, tile materials and tile size.

4. Soil Conservation Service must be notified of crossing.

5. Tile Crossing Permit to be submitted at least 48 hours before crossing is to be installed.

6. Payment will not be made by Sioux County for crossing placed without proper notification.

7. Contractor will be responsible for properly backfilling and tamping tile crossing to avoid excessive settling.

8. In the event Sioux County is called out to repair crossings due to poor workmanship, contractor will be assessed cost of repairs.

9. Tiling Contractor is responsible for contacting Utility Companies.

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<th>Circle Arrow</th>
<th>Section No.</th>
<th>Township</th>
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Indicating North

Landowners Signature

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<tr>
<th>Show sketch of Tile Crossing Location</th>
<th>1/4 Mi.</th>
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<th>R.O.W. Width</th>
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<th>Landowners Signature</th>
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Crossing Requested By: __________________________

Address: ______________________________________

Phone: ________________________________________

Tile Size: ____________________  Tile Material: ________________________

Tile Contractor's Signature: ______________________

Date of Application: ________________________  County Approval: ________________________

Date: ________________________
FARM DRAIN TILE
AGREEMENT

County: ______________________
Parcel No.: __________________
Project No.: ____________________

THIS AGREEMENT, entered into this ___________ th day of __________ , 20 ___,
by and between ___________________________ Designated as the “Owner” and
the Iowa Department of Transportation, hereinafter designated “Department”.

The property is situated on the above mentioned project, and described as follows:

The Department agrees to pay Owner a Lump Sum Payment of $ ____________ for
replacing or repairing field drainage tile located in the proposed acquisition area shown on
the property plat attached hereto as Exhibit A. Such payment will include the cost of
locating all existing tile, placing new tile lines, connecting existing tile, outleting tile lines,
and associated survey expenses.

The Department agrees to pay the Owner 25% of the agreed Lump Sum Payment upon
signature of both parties. The remaining 75% of the agreed Lump Sum Payment will be
paid upon completion of tile repair or replacement.

Owner agrees to ensure tile line outlets will be placed at proper elevations and locations as
designated by the Department. The owner will also agree to accept full responsibility for
said tile repair or replacement and releases the Department from all liability for same.

Owner agrees to have such tile repair or replacement accomplished by a designated date set
by the Department. The designated date for this parcel is ____________.

In the event the proposed tile work can not be accomplished by the Owner before the above
listed date, the Department may have the work completed as part of the grading contract, in
which case the owner agrees to grant the Department access to a strip 8 meters ( 25 feet )
wide adjacent to the purchased ROW line to accomplish work with no compensation to the
Owner.

It is understood by both parties this agreement shall have no bearing on nor affect any
negotiations for the acquisition of land for this highway improvement project, except that
the field tile drainage system shall be considered to be in similar condition, before and after
the acquisition.

Owner: __________________________

______________________________

Date  Telephone

DEPARTMENT:

IOWA DEPT. OF TRANSPORTATION

By: ____________________________

______________________________

Date  Telephone
CLINTON COUNTY
SECONDARY ROAD DEPARTMENT
TILE CROSSING/OUTLET PERMIT

This permit allows the applicant the right to have a drainage tile constructed within the right-of-way of a Clinton County secondary road subject to the following conditions:

1. All work must be performed in accordance with the Clinton County Secondary Road Ditch Cleaning and Tile Crossing Policy.

2. The landowner is responsible for ensuring that all work complies with wetland legislation as determined by the Natural Resources Conservation Service and/or the Corps of Engineers and obtaining all necessary permits. Clinton County will not review or coordinate these activities on the landowner's behalf.

3. Schedule 40 PVC pipe or corrugated metal pipe shall be used for all crossings. Drop inlets or risers are required five feet inside of the ROW line. Any material or labor to be billed to the county must be pre-approved in writing and separate from any billing for other work completed. Private individuals or their contractors installing tile must have an approved permit and notify the county 48 hours in advance of the crossing installation. Finished tile must be inspected prior to placement of backfill.

4. The county will provide any rock necessary to restore the condition of the road surface. The landowner will be responsible for the material and labor cost for repair or replacement of paved surfaces on new tile line installations.

5. No filling will be permitted in the right-of-way other than that necessary to maintain the natural flow of surface water.

6. Stipulations and requirements contained herein are not intended to waive greater requirements of local zoning ordinances.

7. Tile size: Location: 

   Material Type: 

   Signed________________________ Date________________________
   (Applicant)

   Address________________________

   Approval_______________________ Date________________________
   (County Engineer)

Note: Construction in ROW Permit Also Required.
Any of the above obstructions constituting an immediate and dangerous hazard shall be removed after 48 hours written notice at the expense of the owner or responsible party.

Upon removal by the Secondary Road Department of any obstacle, encroachment or materials, a statement of cost will be sent to the responsible party. If within 30 days after sending the statement the cost is not paid, Clinton County will institute proceedings in the District Court to collect the cost of removal.

2. Removal of litter, dumping, solid waste and nuisances within Clinton County right-of-way shall be enforced by appropriate civil or criminal proceedings or by both such proceedings. In the case of a public nuisance within the right-of-way, Chapter 657 of the Iowa Code will apply as to the penalty and abatement through court actions. Generally the above items will be reported to the Clinton County Sheriff for investigation and processing. If a health hazard is involved it will also be reported to the Clinton County Health Department for processing. If an environmental hazard is involved it will also be reported to the Clinton County Health Department, and the State Department of Natural Resources as deemed necessary.

3. All excavation or any physical changes as well as certain agricultural operations within Clinton County road right-of-way without a permit from the Secondary Road Department will be considered as an obstruction or encroachment with the normal 30-day notice to cease, remove and correct.

APPROVED BY CLINTON COUNTY BOARD OF SUPERVISORS
CITY STORMWATER UTILITY USER FEES

Sample Calculation of Assessments*

The user fees are applicable to all property owners, regardless of whether they pay taxes. The rates are based on the amount of impervious area on the property.

For residential lots, the rate is calculated by assuming 30 percent of the property square footage as impervious, regardless of lot size. This number is divided by 2,500 = 1 ERU. This new number is multiplied by $1.50 for each ERU.

This calculated amount is the user fee per month. The cost is billed on the quarterly sanitary sewer bill.

(*Used to partially finance NPDES Phase II operations and improvements.)
RESOLUTION ON GREENE COUNTY, IOWA DRAINAGE DISTRICTS

WHEREAS, the Drainage District Board of Trustees are responsible for the maintenance and management of Drainage Districts located within Green County established under Chapter 468 of the Iowa Code.

WHEREAS, Greene County Drainage Districts has been established and constructed with the presumption the drainage of surface water from agricultural lands and all other lands, for the protection of such lands from overflow, is conducive to the public health, convenience and welfare.

WHEREAS, certain programs of the State of Iowa and the United States Government have been established to create wetlands within the State of Iowa. The creation of these wetlands is also conducive to the public health, convenience and welfare.

WHEREAS, some wetlands may be located within a Drainage District and the creation of the wetlands may potentially compromise the efficiency of the Drainage District improvements.

WHEREAS, a procedure is required to promote the establishment of the wetlands and yet protect the improvements of a Drainage District.

WHEREAS, the Drainage District Board of Trustees shall be the exclusive governing body to make the decisions affecting the maintenance and management of Drainage Districts within Greene County.

NOW THEREFORE, BE IT RESOLVED, a landowner who proposes to establish a wetland in an area in which the Drainage District improvements are located, shall file with the Greene County Auditor a Statement of Intent containing the following information:

1. The name of the landowner and farm tenant, if any.
2. A plat of the wetland identifying any Drainage District improvement within the proposed wetland.
3. A report from the engineer who designed the wetland setting forth any proposed manipulation or destruction of drainage district improvements and the resulting effects on existing drainage of lands within the Drainage District.

Upon receipt of the Statement of Intent, the District shall schedule a public meeting before the Board of Trustees to be held not less than 20 days after the date of receipt. The Trustees may continue this meeting from time to time.

The Auditor shall provide notice of the public meeting to affected landowners as directed by the Drainage District Board of Trustees.
Prior to the public meeting, the plat of the wetland and engineer’s report will be reviewed by the District’s Engineer who shall determine the effect to the District if the wetland is created. The Engineer shall consider and address maintenance access, the potential effect upon the ability of the District to make further improvements, the effect upon the ability of the neighboring landowner(s) to connect to the facility, the effect upon drainage capabilities available to all landowners, future ownership and maintenance issues which should be addressed in an agreement, potential benefits to lands in the District, and other related issues the Trustees deem important. This requirement for an engineer’s review can be waived by a majority vote of the Board.

The creation of the wetland shall not reduce the coefficient of drainage for any landowner within the Drainage District.

The Drainage District shall incur no costs for the investigation and hearing. The landowner or other entity shall pay the costs of these proceedings, including the costs of engineering, legal costs and providing notice.

The wetland shall retain the classification established by Sections 468.38 through 468.40 (Code of Iowa).

In the event the owners of the property no longer wishes to use the property as a wetland, the owner shall restore the system of drainage that was in place prior to the establishment of the wetland or as otherwise allowed by the District.

Ownership, control and maintenance of facilities constructed to convey waters of the District located upstream and downstream of the pool and outlet structure shall be the District’s. The landowner is responsible to maintain the pool area, including the excavation of accumulated sediment, the outlet structure, and all other facilities not assumed by the District. (The District may agree to assume part or all of the maintenance responsibilities of the owner.)

If the landowner fails to perform maintenance activities as required under this agreement, the Drainage District may enter the property and perform maintenance seven or more days after giving notice to the landowner to do the maintenance. If the trustees deem the maintenance to be an emergency, the District may immediately perform the maintenance. The costs thereof shall be assessed to the landowner.

The landowner’s request may be approved upon completion of the above conditions, if the Drainage District trustees are convinced the drainage within the Drainage District will not be adversely affected and the Drainage District will not incur any costs. If such approval is given, the Drainage District trustees and the landowners shall enter into an agreement incorporating the conditions within this resolution, and any other issues the trustees deem worthy.