

# **Pocahontas County Policy for Roadside Ditch Cleaning**

## **I. Purpose and Scope**

The purpose of this policy is to establish the manner in which the county will perform ditch cleaning. This work is essential for maintaining proper roadside drainage and road safety. All work will be performed within the limits of the Pocahontas County right-of-way and only within the limits of the county budget.

## **II. General Guidelines**

The following guidelines are set forth so that the Road Department can be the best stewards of the funds provided and to treat cleanout requests fairly.

- Requests for work: Requests for ditch cleanings may come from Secondary Road Staff, County Board of Supervisors, property owners, tenants and conservation staff. All sites will be reviewed by secondary roads staff and the County Engineer for approval and prioritization.
- Priority is NOT on a first come first serve basis. Priority will be determined by factors such as drainage problems created, proximity to a roads project that requires dirt, and proximity to current equipment in the field. Some ditch cleaning requests may happen due to the efficiency of working on it while equipment is in the area, even though it may not be causing the most drainage problems.

## **III. Use of Excavated Material and Dirt Disposal**

Excavated material from ditch cleaning operations is the property of Pocahontas County. The disposal of this material will be determined based on the operational needs of the Secondary Road Department and the efficiency of the haul.

The County is not a dirt hauling service. Requests for ditch cleaning based solely on a desire for black dirt will not be prioritized. The County will only haul material to locations that ensure the efficiency and productivity of the operation.

### **Prioritization of Material Use:**

The County Engineer and staff will allocate excavated material according to the following strict priority list:

1. Secondary Road Department Needs (Top Priority):

First priority for excavated soil will be to meet the needs of the Highway Department. This includes using the material for road maintenance, widening, road grade building, stockpiling for future projects, or other construction purposes beneficial to the county road system.

2. Adjacent Landowners:

If the County does not require the material, the second priority is to deposit the material on the adjacent property from which it originated.

- The material will be deposited at a location easily accessible to County equipment (e.g., thrown over the fence line).

- The County will not bring trucks onto private property to assist the excavator unless absolutely necessary for the operation.

### 3. Surrounding Area Landowners:

If the adjacent landowner declines the material, priority will be given to other landowners in the immediate surrounding area to minimize travel time for County equipment.

### 4. Mutual Benefit (Efficiency Rule):

The County may deliver dirt to other requested areas in the county only if the requested location is closer than the County's designated stockpile or disposal site.

- This is considered a "Mutual Benefit" arrangement: the landowner receives fill, and the County reduces fuel and labor costs by shortening the haul distance.
- If a requested location is further away than the County stockpile, the request will be denied to maintain operational efficiency, the request will stay on file until material is delivered or cancelled by the landowner/applicant.

## IV. Landowner Responsibilities for Delivered Material

When the County agrees to deposit material on private property, the following conditions apply:

- **Placement Only:** County crews will deposit the material only. They will not work, shape, or compact the material. The county may be able to rough spread the dirt out with the excavator bucket.
- **Leveling and Finishing:** The property owner or tenant is solely responsible for placing the material in its final location, leveling it, and performing any necessary finishing work.
- **Accessibility:** Disposal locations must be accessible to County equipment. County trucks are not built for off-road conditions, and the County reserves the right to refuse to haul to any location deemed inaccessible or unsafe.

## V. Prohibitions and Right-of-Way Restrictions

To ensure the safety and drainage of the road system, the following restrictions apply:

- **Obstructions:** Property owners shall not place obstructions, such as fences, landscaping or crops, that interfere with drainage or maintenance operations in the ROW.
- **Animal Waste:** Ditch cleaning will not be performed by County personnel if the ditch is filled with animal waste or feedlot runoff<sup>19</sup>. Cleaning such ditches is the responsibility and expense of the landowner.
- **Permits Required:** Any work performed by a landowner within the right-of-way—including flattening backslopes or cleaning ditches—requires a permit from the County Engineer.

## VI. Discretionary Authority

The County Engineer and staff maintain the final right to determine priority sites for ditch cleaning. The County reserves the right to refuse to haul or deposit excavated material to any landowner for any reason at any time.