

RESOLUTION NO. 2018- 11

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH COUNTY, KANSAS, AMENDING THE GRAVEL ROAD DUST
CONTROL PROGRAM TO GOVERN ALL ROADWAYS UNDER JURISDICTION OF
THE BOARD OF COUNTY COMMISSIONERS, LEAVENWORTH COUNTY, KANSAS.**

WHEREAS it has been determined by the Board of County Commissioners of Leavenworth County, Kansas, that a program should be available to residents with the repeal of the Resolution known as “The Participatory Road Program” for dust abatement on gravel roads;

WHEREAS the Board has determined that residents should have access to a program that provides a fair and equitable cost share between public and private interests;

WHEREAS the Board has determined that resident participation shall be voluntary and this program is not intended to mandate dust control participation by neighbors;

WHEREAS the County Engineer concurs with the Board of County Commissioners that access to proper dust control options shall have established conditions and process to be followed for residents desiring to participate in the Dust Control Program.

NOW BE IT THEREFORE, RESOLVED:

1. All properties in Leavenworth County are eligible for chemical and hard pave dust control methods.

DUST PATCH

2. Chemical dust control method, known as Dust Patch, shall be a section of existing public gravel roadway not less than 300 feet in length on which chemical is applied. Dust patches are to be financed per the annual cost schedule by the resident requesting chemical application.
3. Chemical dust control is an application of chemical, typically liquid, to the surface gravel by a licensed, bonded, and permitted third party vendor.
 - a. Chemical dust control is scheduled annually for effective dust abatement.
 - i. Residents shall contact the vendor, who will inform the County Shop of the location.
 - ii. The County Shop prepares the road for treatment.
 - iii. The third party vendor applies the chemical per their schedule.
4. Chemical dust control costs are developed by the vendor and the County. Payment in full must be received prior to the Dust Control sign-up deadlines or scheduling the application of Dust Patch. Dust Patch application is not eligible for financing through the County Clerk.

DUST ABATEMENT

- 5. Hard pave dust control method, known as Dust Abatement, shall be a section of existing public gravel roadway not less than 300 feet in length on which hard pave is applied. Dust Abatements are to be invoiced per the annual cost schedule by the resident requesting dust abatement. Residents may be eligible for a financing program through the County Clerk.
- 6. Maintenance by the County is eligible to dust abatements that connect to existing hard pave county-maintained roads.
- 7. Service provided by the County on Dust Abatements are per the Department of Public Works Dust Abatement Installation Guidelines.

EXISTING TRAFFIC COUNT	COMPACTED AB-3 SUBBASE	SERVICES PROVIDED
≥ 1 *DISCONNECTED SEGMENTS*	4 INCHES	RESIDENT MAINTAINED BLADE ONLY SNOW SERVICES
≤ 300	6 INCHES	COUNTY MAINTAINED SALT/SAND/BLADE SNOW SERVICES
> 300	8 INCHES	COUNTY MAINTAINED SALT/SAND/BLADE SNOW SERVICES
NEW ROADS ARE NOT ELIGIBLE FOR DUST ABATEMENT INSTALLATION AND MUST BE CONSTRUCTED TO COUNTY ROADWAY STANDARDS		

- 8. Installation of Dust Abatement is based upon the available road right-of-way. Typical sections, roadway striping, and signage are per the Department of Public Works Dust Abatement Installation Guidelines. Hard pave widths are determined by the Department of Public Works and based upon available right-of-way, drainage conditions, utility locations, field conditions, and other engineering variables. Typical installed sections to be expected as follows:

EXISTING TOTAL ROW	ROADWAY WIDTH	STRIPING AND SIGNAGE
40 FEET WIDTH	18 FT MIN/22 FT MAX	AS NEEDED
60 FEET WIDTH	20 FT MIN /24 FT MAX *SHOULDER ELIGIBLE*	AS NEEDED
80 FEET AND GREATER	22 FT MIN/24 FT MAX *SHOULDER ELIGIBLE*	COMPLETE STRIPING INSTALLED SIGNAGE AS NEEDED

- 9. Hard pave Dust Abatement may be asphalt, Chip-and-seal, or other approved engineering method for hard pave.
 - a. Chip-and-Seal dust control is an application of oil and chipped rock to base gravel. The chip-and-seal dust control schedule is not annual but is recommended as follows:
 - i. First Year is the installation of the Dust Abatement:
 - 1. Compacted AB-3 (base course)
 - a. Four (4) inches – Disconnected from paved network
 - b. Six (6) inches – Connected to paved network and VPD ≤ 300

- c. Eight (8) inches – Connected to paved network and VPD > 300
 - 2. One (1) coat of MC-250 Oil (base coat)
 - 3. Rock chips (chip coat)
 - 4. One (1) coat of MC-800 Oil (seal coat)
 - 5. Rock chips (surface course)
 - ii. Second year is top-seal layer of chip-and-seal Dust Abatement as follows:
 - 1. One (1) coat of MC-3000 Oil (seal coat)
 - 2. Rock chips (surface course)
 - iii. Fifth year and every three years thereafter is a re-seal for maintenance:
 - 1. One (1) coat of MC-3000 Oil (seal coat)
 - 2. Rock chips (surface course)
 - iv. Maintenance is anticipated approximately every three years to re-seal the chip-and-seal Dust Abatement depending upon the durability of the material due to weather, traffic counts, and vehicle types utilizing the gravel road.
 - 1. Dust Abatement connecting to a paved road within the County maintained road network will be accepted into perpetual maintenance at the expense of the County.
 - 2. Dust Abatement that is not connected to a paved road will be the property owner's responsibility for maintenance cycles and expenses. If the Dust Abatement falls into disrepair, the County will return the previously chip-and-sealed section back to gravel.
 - b. Asphalt dust abatement is an application of bituminous material over rock base course. Asphalt dust abatement to be installed at the discretion of the Department of Public Works due to extenuating circumstances related to traffic volume, soil conditions, chip-and-seal failure, and cost-effectiveness. Asphalt dust abatement is not by request of the public or property owner.
10. Dust Abatement costs are based upon material bids, mobilization, installation, and third party pricing. The Dust Control notification with annual cost schedule is released during the first quarter of each year and prominently placed into a publicly released form known as the Request for Dust Control notification.

GENERAL INFORMATION

- 11. Request for Dust Control notification will be provided by the Public Works Department in the Official County Newspaper and on the Leavenworth County Website at a minimum.
- 12. Payments are to be calculated per the cost schedule or third party invoice. When financing Dust Abatement, any maintenance cycles to occur over the length of financing time will be included in the total required to be financed. Payment in full or notification provided by the Clerk of financing must be received prior to the Dust Control sign-up deadlines or scheduling the

installation of Dust Abatement. In the event that a resident is not eligible for the Dust Control Program, they will be notified and refunded payment.

13. Warranty is not provided on Dust Patch or Dust Abatement materials, installation, or durability of the dust control methods. The lifespan on dust patches and dust abatements are a function of weather, traffic count, vehicle types, road base, and other unknowns that are outside of the control of the County.

14. Leavenworth County Gravel Road Dust Control Program March 2012 is hereby repealed.


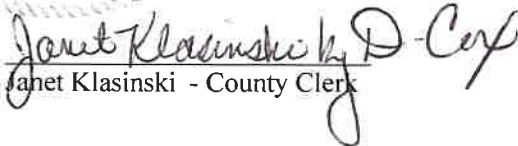
15. Leavenworth County Resolution 2017-23 Participatory Road Program is hereby repealed.

Adopted this 22nd day of May, 2018

Board of County Commissioners
Leavenworth County, Kansas


Robert Holland, 1st District


Louis Klemp, 2nd District



Janet Klasinski - County Clerk


Doug Smith, 3rd District