

RESOLUTION 26- 09

A RESOLUTION CREATING A COST APPLICATION FOR THE INSTALLATION OF CULVERTS OR ENTRANCES

WHEREAS, the installation of an entrance crossing any ditch along a County road falls under the authority of the County Engineer; and

WHEREAS, Kansas Statutes grant this authority to the County Engineer to ensure that citizens can travel safely along roadways; and

WHEREAS, while it is the duty of the County to provide entrances for access in certain situations, it is incumbent upon the County to assess the charge to citizens when the entrance is provided at citizen request in order to assure fair taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Woodson County, Kansas, that pursuant to K.S.A. 68-543a, and any amendments thereto, that the following is hereby adopted:

FIRST, in counties which have not adopted the County unit road system, such as Woodson County, whenever it is necessary in the County Engineer's opinion for the County to construct a new ditch along a County road in front of any property at such depth as will in the opinion of the officials in charge of such road obstruct an existing access to such property from the public roadway, it shall be the duty of the County Engineer to cause to be constructed an entrance, including a properly sized culvert as required to provide adequate drainage, over such ditch so as to make a good, safe crossing. The cost of the entrance and culvert will be at the County's expense.

SECOND, when a property with an existing ditch does not have an existing access and the installation of an entrance is requested by the property owner or the owner's agent for the landowner's convenience, the cost of such entrance and culvert shall be charged to the property owner and installed by Woodson County.

THIRD, whenever any property owner shall request an additional entrance on a County Road that has an existing ditch, the cost of the entrance and culvert shall be charged to the property owner and installed by Woodson County.

FOURTH, a culvert is defined as per K.S.A. 68-1101. An entrance culvert shall be installed as per the County Engineer's decision to provide adequate stormwater flow and allow for safe side slopes along the entrance. A culvert may be a corrugated steel pipe, a plastic pipe, a smooth steel pipe, or other type of structure as approved to adequately carry ditch drainage. In a situation where a detailed drainage study is needed to determine the proper size of culvert, the landowner may be required to arrange for and pay the cost of such study by a licensed engineer, and to pay any and all costs for the design of the culvert. In a situation where the County Engineer or other licensed engineer determines that a culvert pipe is adequate, the County Engineer will approve the installation of a thirty (30) foot, sixteen (16) inch diameter, corrugated steel culvert pipe, unless a longer pipe is required for safety. The County Engineer may determine that a stronger/larger pipe is required for adequate ditch drainage. The County Engineer will notify the property owner if a standard culvert will not work in their application.

FIFTH, The County Engineer will require the property owner to fill out an Entrance/Culvert Application. The property owner must pay a deposit of the estimated cost of such installation before the County Engineer will begin installing and constructing the entrance and culvert. If the cost of installation goes over the amount of the

deposit submitted the County Engineer will send an invoice to the property owner. The invoice will be due in 30 days from issuance or the amount will be attached to the property taxes of the property. The County Engineer will install the entrance at it's earliest convenience.

The costs associated with an entrance may include:

- Earthwork construction,
- Culvert(s), end sections, and associated materials, and
- Gravel entrance surfacing material

All moneys for the payment of such materials shall be deposited in the Woodson County Road and Bridge Fund.

SIXTH, maintenance of the driving surface of all entrances, including, but not limited to, the removal of snow shall fall under the responsibility of the property owner. Woodson County shall be responsible for maintaining the water flow characteristics of all entrance culverts, to include the replacement of deteriorated culverts and cleaning out plugged culverts. Culverts damaged by the property owner shall be replaced at the property owner's expense. Should a culvert have to be removed or replaced to maintain an adequate water flow or to improve the adjacent ditch Woodson County shall restore the entrance to as good or better condition as when the County initiated the removal or replacement.

SEVENTH, it shall be a public offense for any property owner or other person to construct a culvert or entrance across any ditch along a County road. Any person who shall violate the provisions of this section shall be subject to a fine of \$50.00 and be required to remove the unauthorized entrance at the property owner's expense. If the property owner fails to remove the unauthorized entrance in a timely manner, fifteen (15) days from issuance of fine, the County shall remove the entrance and bill the property owner for any and all expenses incurred.

FURTHER, that a representative of the County Engineer may be designated to provide the services as detailed herein; and

FURTHER, that this Resolution shall become effective upon publication one (1) time in the official County Newspaper.


Adopted and approved this 2nd day of June, 2026.

**BOARD OF COUNTY COMMISSIONERS
WOODSON COUNTY, KANSAS**

ATTEST:


Amanda DeWitt, County Clerk

Justin Clark, Chairman


Kevin Stuber, Vice Chairman


Gerald Sedlacek, Member