

Procedures for Participation in the Highlands County Road Improvement Program for County and Non-County Roads

POLICY:

The following outlines the general policy of the Highlands County Board of County Commissioners with respect to upgrading unpaved public road rights-of-way which are currently County maintained, and for those paved and/or unpaved roads which no person or entity is responsible for bringing these roads to the required standards contained in the Highlands County Code of Ordinances and Highlands County Technical Standards Manual and acceptance for Perpetual County Maintenance.

DEFINITIONS:

County Paved Road – (Category 1) Local asphalt or concrete paved road meeting Highlands County Minimum Standards, maintained by Highlands County verified by official Board action. Currently, Highlands County has approximately 1,000 center lane miles of Category 1 Roads.

Non-County Paved Road – (Category 2) Local asphalt or concrete paved road not meeting one or more Highlands County Minimum Standards, not maintained by Highlands County nor verified by official Board action. (100% of the improvement cost is burdened by the affected property owners)

County Unpaved Road – (Category 3) Local unpaved shell/dirt road meeting Highlands County Minimum Unpaved Road Standards and maintained by Highlands County verified by official Board action. (50% of the improvement cost is burdened by the affected property owners and 50% by the Board) Currently, Highlands County has approximately 200 center lane miles of Category 3 Roads.

Non-County Unpaved Road – (Category 4) Local unpaved road not meeting one or more Highlands County Minimum Standards, not maintained by Highlands County nor verified by official Board action. (100% of the improvement cost is burdened by the affected property owners)

Platted Right of Way – (Category 5) Platted road right of way shown on Plat map or verified by official Board action. This category of roadway would be identified on plat map and typically cannot be seen by visible observation of the area. 100% of the improvement cost is burdened by the affected property owners)

Private Road – (Category 6) Unpaved or paved roadway on private property, not maintained by Highlands County. (100% of the improvement cost is burdened by the affected property owners)

A. CRITERIA:

The road segment/road segments to be improved must meet the following stipulations:

1. The minimum right-of-way width requirement for a road to meet the standards for acceptance of maintenance outlined in this section shall be a minimum of 60 feet.

Existing platted subdivisions where the width of dedicated public right of way is no less than 50 feet may be exempt from the 60-foot requirement. If not provided by a recorded plat, deed or easement, dedicating right-of-way to public use approved by the Board Attorney along with a title search, shall be required. The required right-of-way shall be reasonably cleared of obstacles such as utility poles, trees, buildings, and fences and shall meet the clear zone requirements of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook), latest edition.

2. Drainage control and Best Management Practices (BMP) (i.e. swales, ditch blocks) as well as the travel way must be attainable within the required County right-of-way.
3. The proposed road segment must connect with a paved City, County or State maintained road. If the proposed road segment does not connect with a paved City, County or State maintained road, then the following is required:
 - a. The connecting City, County or State road shall be included in the petition for assessment or established funding provided all other requirements and criteria are met. If City or State road right of way, petitioner/s would be required to contact those entities.
 - b. The proposed county road segment to be upgraded shall extend from roadway intersection to roadway intersection or terminate at a cul-de-sac constructed to current Highlands County technical standards. The road segment shall not terminate in between two platted intersections.
4. A Municipal Service Benefit/Tax Unit (MSB/TU) or similar may need to be established to provide necessary funding for infrastructure improvements. If deemed necessary, setting up the MSB/TU would be managed by the County's Non-Ad Valorem Assessment Department.

B. PROCEDURE FOR ROAD IMPROVEMENTS:

1. A property owner fronting the road to be upgraded must request in writing that the road be considered for the program. The request must explain the type of improvement the residents are requesting. The initial request is to be submitted to the Highlands County Road & Bridge Department. For informational purposes, only, the Road & Bridge Department will provide a "draft" lump sum estimate to cover the preparation of the right-of-way and application of sub-base and base material, sand seal, construction of the necessary swales, any additional drainage and Best Management Practices (BMP), clearing & grubbing, and installing a minimum of 1¼ inches of Superpave (SP) 9.5 asphalt (with up to 30% Recycled Asphalt Pavement) or equivalent (for paving improvements). All associated quality control testing requirements will be included in project costs. The estimated cost per road frontage foot will be used to inform interested property owners for all

projects. The final cost shall be based on the final actual cost to design, permit and construct the roadway.

2. The property owner submitting the initial request will be the Spokesperson for those in favor of the proposed project. A representative from the Road & Bridge Department will meet with the Spokesperson to accomplish the following:
 - a. Inspect the right-of-way to assure all criteria are satisfied.
 - b. Coordinate with the Engineering Department regarding verification of right-of-way width requirements.
 - c. Inform the Spokesperson of the minimum right-of-way width requirement and if that requirement has been met.
 - d. Inform the Spokesperson of the procedures to be followed to implement the program.
 - e. Calculate the estimated project cost and driveways cost (if applicable) for the road segment/s being considered.
 - f. Inform the Spokesperson of the estimated project cost and driveways cost. All associated expenses for driveway improvements are burdened on the property owners.
 - g. Provide the Spokesperson with the correct petition/documentation/form for the requested improvement.
 - h. If Spokesperson wishes to continue a \$250.00 fee will need to be paid in full which will cover Road and Bridge staff expenses up to this point.
3. If the minimum right-of-way width requirement is not met, the Spokesperson shall coordinate any dedication of right-of-way for public use through the County Engineering Department and the County's Legal Department.
 - a. A signed and sealed survey of the property to be conveyed will be required and any other necessary documentation, at no cost to the County. All deeds or easements dedicating the necessary right-of-way for public use approved by the County Attorney along with a title search shall be required, at no cost to the County, prior to any official County action.
 - b. The County Engineering Department shall verify that the minimum right-of-way requirement has been met. The County Engineering Department or the Road and Bridge Department shall present all deeds or easements dedicating the necessary right-of-way for public use, approved by the County Attorney, to the Highlands County Board of County Commissioners for acceptance.
4. Driveways: Driveway cost shall be in accordance to the procedures in Section B.2 of this policy.
 - a. Upgrading a current Category 3, County Unpaved roadway to a Category 1, County Paved roadway:
 - i. All driveways shall be constructed of adequate sub base and/or base material and concrete or asphalt, up to the right of way line, at the property owner's expense. In unique cases where wider than normal public right-of-way exists (over 80 feet), measures may be taken by the

County Engineer and/or the Road and Bridge Director to minimize the distance an approved driveway shall be constructed.

- ii. If a functional permitted concrete or asphalt driveway exists and modifications to the current driveway are necessary, the cost for such work shall be included in the projects per front foot cost.
 - iii. If a driveway permit is not on file, the property owner shall apply for a driveway permit at the County Engineering Department. The Road and Bridge Department shall inspect and approve all newly established driveways, prior to Engineering's final approval. The property owner shall pay all adopted permit fees and associated materials and contracted items cost.
 - iv. New driveway construction shall be in accordance with the Highlands County Code of Ordinances and Highlands County Technical Standards Manual and shall be paid in full by the property owner as part of their assessment, or in full, prior to construction.
- b. Upgrading a current Category 4, Non-County Public Right of Way to a Category 1, County Paved Roadway:
- i. All driveways shall be constructed of adequate sub base and/or base material and concrete or asphalt, up to the right of way line, at the property owners' expense. In unique cases where wider than normal public right of way exists (over 80 feet), measures may be taken by the County Engineer and/or the Road and Bridge Director to minimize the distance an approved driveway shall be constructed.
 - ii. If a concrete or asphalt driveway exists and modifications to the current driveway are necessary, the property owner shall pay all associated costs that are deemed necessary to accommodate the new roadway grades and drainage facilities.
 - iii. Regular dirt (non-base) access shall be considered non-permitted driveways and the property owner shall apply for a driveway permit at the County Engineering Department. The Road and Bridge Department shall inspect and approve all newly established driveways, prior to Engineering's final approval. The property owner shall pay all adopted permit fees and associated materials and contracted items cost.
 - iv. New driveway construction shall be in accordance with the Highlands County Code of Ordinances and Highlands County Technical Standards Manual and shall be paid in full by the property owner.

5. Unique Cases:

- a. Corner lots may be calculated at a reduced front footage amount equal to one-half (1/2) of the combined length of all affected sides if more than one affected side is subject to assessment in the same year or over multiple years.
- b. Unique cases that may result in a calculation other than front foot or per parcel include dead end roads, roads with cul-de-sacs, roads with government owned lands, large tracts of land, deeded access driveways, drainage right-of-way abutting road, etc.

- c. Any calculation disputes resulting from a unique or non-typical lots will be resolved by the Highlands County Board of County Commissioners.

C. Cost Allocation

- a. For Category 2, 4, 5 and 6 improvement requests, property owners shall pay 100% of the total actual cost for the project.
- b. For Category 3 to Category 1 improvement requests, the county shall pay fifty percent (50%) of the total project costs and the property owners shall pay fifty percent (50%) of the total project costs.

D. Funding

1. MSBU OPTION:

- a. The spokesperson will file an application for a Municipal Service Benefit Unit (MSBU) with the Non-Ad Valorem Department in accordance with the NAV Handbook.
- b. The spokesperson will file the completed petition form to the Highlands County Road and Bridge Department. Road and Bridge will send completed copies to the Engineering and the Non-Ad Valorem Departments.
- c. The estimated cost to the property owners for paving roads may be equally distributed over a maximum of ten (10) years, including driveways.
- d. Projected project costs shall be divided into annual installments together with an administrative fee of ten percent (10%)¹ of the annual installment payment.
- e. Annual installments will appear on the property tax bill. It should be expected the installment amount could change due to interest rate or final project costs.
- f. The project will be reviewed once 80% of the estimated costs have been received.
- g. The project will be put on the project list to be completed in year 9 and the assessment will be adjusted in year 10 to be sure 100% of the project costs are paid in full.
- h. The Road and Bridge Department may provide a proposed schedule for project completion within one month after funds are received or MSB/TU resolution is approved.

2. FUNDING OUTSIDE OF AN MSBU:

- a. If the property owners along the roadway/s desire to proceed and can pay all associated costs up front, the Spokesperson will file the completed “Petition for Road Paving” if the roadway is currently County maintained, or the “Petition for Road Paving & Perpetual County Maintenance” if the roadway is not currently County maintained, with the Highlands County Engineering Department. Engineering will send completed copies to the Road and Bridge Department.

¹ In accordance with previously established assessment districts.

- i. The petition form will be provided by the County and will state the cost per front foot or recommended calculation based on unique cases and the payment terms.
- ii. All property owners in the proposed improved area must sign the petition. In unique cases the Board of County Commissioners can approve a project with less than all property owners signing the petition.
- iii. The completed petition is to be returned to the County Engineering Department and/or Road and Bridge Department by January 1, of each calendar year, to be considered in the following fiscal year's program. The deadline date for petition submittal may be changed and notice of such change provided to the public to meet budget or legal constraints.

D. RESTRICTIONS:

1. Budget and operational constraints may limit the total miles to be upgraded during each fiscal year. The Road and Bridge Director and/or the County Engineer may choose to contract all or parts of the project to outside vendors.
2. The costs of culverts, sub-base, base, sand seal, asphalt, and concrete will be determined by the prices quoted in the County's annual bidding procedure and established in-house costs; therefore, the estimated costs will vary from year to year.
3. The proposed project is assumed to be able to be built under a Notice General Environmental Resource Permit (ERP) for the paving of existing dirt roads. If the required permit is greater than a Notice General ERP, the cost to obtain such permit shall be paid by the property owner(s) on the road/s to be upgraded. Such cost shall include surveys, design, environmental assessment, permit fees and miscellaneous expenses directly related to this effort. For example, roads with wetland impacts greater than ½ acre and those whose final grade would be greater than 8" above existing grade will require greater permitting and design effort.
4. All deeds or easements dedicating the necessary right-of-way for public use approved by the Board Attorney along with a title search shall be required at no cost to the County prior to any official County action.