

RESOLUTION 19-___

A RESOLUTION OF THE BOARD OF SUPERVISORS AMENDING THE POLICY AND PROCEDURE REGARDING DROPPING ROADS FROM AND ADDING ROADS TO THE COUNTY MAINTENANCE SYSTEM

WHEREAS, the Board of Supervisors is authorized to lay out, maintain, control and manage public roads within its jurisdiction pursuant to A.R.S. § 11-251 (4); and,

WHEREAS, there may be occasion where roads should be dropped from or added to the County Road Maintenance System; and

WHEREAS, the Board of Supervisors previously established criteria for consistently assessing the roads to be dropped or added to the County Road Maintenance System; and

WHEREAS, while the current Drop/Add Policy, as designated in Resolution 07-77, has served the County well, changes must be made to reflect current legislation; and

NOW THEREFORE, IT IS RESOLVED that the attached “Amended Policy and Procedure for Dropping Roads from the Maintenance System and Adding Roads to the Maintenance System” is hereby adopted and the criteria, policy and procedure established by previous resolutions are hereby amended in accordance with this resolution.

IT IS FINALLY RESOLVED that Resolution 07-77 is hereby rescinded.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County,
Arizona,
this _____ day of _____, 2019.

Peggy Judd, Chairman
Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Arlethe G. Rios,
Clerk of the Board

Elda E. Orduño,
Civil Deputy County Attorney

AMENDED POLICY AND PROCEDURE FOR DROPPING ROADS FROM THE MAINTENANCE SYSTEM AND ADDING ROADS TO THE MAINTENANCE SYSTEM

It is the intent of the Cochise County Board of Supervisors to consider dropping roads from the Maintenance System when it is deemed that there is minimal public benefit for the continued maintenance. When roads or road segments are considered for dropping from maintenance, replacing these road with similar existing roads that are not in the Maintenance System may be considered if they meet the following requirements.

Road or Road Segments to Drop

When assessing roads to be dropped, the enumerated factors below shall be considered in the analysis. Other factors may also be considered if appropriate.

1. The existing Average Daily Traffic (ADT) is less than 20.
2. There are encroachments that cannot be removed or would be cost prohibitive to remove.
3. There is no legal obligation to maintain them.
4. There is no public right-of-way.
5. The opinion of the users of the road.

Road or Road Segments to Add

Roads will be considered for adding if all the following are true:

1. The road must legally qualify for maintenance (public roads and streets that were laid out, constructed, and opened prior to June 13th, 1990. Open shall mean that the road is clearly a road and not just a graded path. ARS § 28-6705).
2. There has to be public right-of-way (either in fee or as an easement) along its full length, at a minimum width of 50'. The County shall assume that road is located within the right-of-way.
3. The average width of the existing travelway shall be at least 18'. Exceptions for cattleguards, bridges and culverts shall be considered at the sole discretion of the County Engineer.
4. The road must be contiguous to a County maintained road or a road maintained by another jurisdiction.
5. The road should be in the same road maintenance district as the road being dropped and should not cost much more to maintain than the road being dropped.
6. The road shall have a minimum ADT of 100.
7. The road shall have an existing safe driving speed of 35 mph under most weather conditions.

8. The road shall be free of hazardous encroachments.
9. Drainage issues shall be addressable/repairable without the need of additional right-of-way or easements.
10. Added Roads shall not require the purchasing or laying of cement per ARS § 28-6705.
11. Only roads that require routine environmental permits will be considered.
12. There shall be no utility conflicts, or they shall be resolved at no cost to the County.
13. All maintenance of Primitive Roads shall be in accordance with ARS § 28-6705 and ARS § 28-6706.

Maintenance

Designated Primitive roads shall be signed as required by A.R.S. § 28-6706. Designated Primitive roads shall not be regularly maintained pursuant to ARS § 28-6706.

Procedure

1. The request to look at specific roads to drop and to add shall be via written request to the County Engineer. If there is a request to drop a road, the County Engineer shall contact the Board members for them to consider other roads to add. The County Engineer reserves the right to schedule the assessment effort in relation to the Annual Work Plan and shall give the Board members an estimate of when the assessment is likely to be done. The assessment shall be a written report that considers all the aforementioned factors, cost estimates and analysis of the impact on each maintenance district.
2. For roads being considered for adding, right-of-way staff will research the status of the road to see if it qualifies. If it does not qualify, the information will be communicated to the Requestor.
3. Actual ADT data will be gathered.
4. Staff shall then schedule a public hearing and shall publish the Notice in the Official County Newspaper and prepare necessary Agenda Items and Resolutions for Board action.