

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

ITEM DATE: 5/28/19	ITEM TIME: 1:10 pm
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FROM:	R. Dubois/G. Romero/M. Mordi
TODAY'S DATE:	20-May-2019
AGENDA TITLE:	Consideration of Approval of Revocable License Agreement for Installation and Maintenance of Private Irrigation Infrastructure in Public ROW
CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input checked="" type="checkbox"/> ACTION ITEM	
<input type="checkbox"/> DIRECTION	
<input type="checkbox"/> INFORMATION	
I. DESCRIBE THE REQUEST OR ISSUE:	
A land owner has requested permission to install a water line under the County Road 44 right-of-way to connect water source to home site across the road. The owner has agreed to the conditions stated in the revocable license. The request is to approve the agreement to allow construction of the private utility to cross the County Road 44 right-of-way	
II. RECOMMENDED ACTION:	
Approval of and Authorization for Commissioner to sign the Revocable License Agreement for Installation and Maintenance of a Private Irrigation Infrastructure in the Public Right-of-Way on County Road 44.	
PROPOSED REVENUE (budget): NA	
PROPOSED EXPENDITURE: NA	
FUNDING SOURCE: NA	
IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):	
None anticipated	
V. BACKGROUND INFORMATION:	
The property owner is in need to get water to his current home structure which is located directly across the road from a good water source. The old water source is drying out and is not producing enough water for their agricultural necessities. The property owner needs to install a water line across County Road 44 to get water to their current homesite. The proposed water line will be buried 10 feet below the surface of the road and will not interfere with road maintenance. The property owner has agreed with all terms and conditions of the attached agreement.	

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VI. LEGAL ISSUES:

The County generally does not allow private infrastructure in the right-of-way to minimize the potential for conflicts or interruption in private service due to road work, maintenance, or use of the right-of-way by authorized utilities. Private owners are not required to belong to the utility notification system and there is a danger that when conducting work in the right-of-way private utilities are not located. Given that the right-of-way crossing is limited length and there will be delineators maintained to indicate the crossing, that conflict is reduced. County Attorney has reviewed and approved the revocable license. The license includes measures to allow the County to revoke the license and to allow the County to collect for damages to the right-of-way due to the irrigation line further reducing potential conflicts.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

None anticipated

VIII. SUMMARY AND OTHER OPTIONS:

The water source for the irrigation is on the South side of CR 44 and the home is on both the east and west sides of the road. Other options are a) not to irrigate or b) install a culvert/ditch instead of a pipe.