

BENTON COUNTY ENGINEER'S OFFICE
1707 W 1ST STREET, VINTON, IA 52349
PHONE: 319-472-2211 FAX: 319-472-2737

PERMIT FOR DUST CONTROL AND HOLD HARMLESS AGREEMENT

Application of dust control on the portion of secondary road described as follows.

NAME OF APPLICANT _____

ADDRESS _____

AREA _____ TOWNSHIP _____ SECTION _____
(FOR OFFICE USE ONLY)

MAILING ADDRESS _____

TELEPHONE _____ EMAIL _____

FOOTAGE _____ AMOUNT _____

In signing and accepting this permit for dust control, I agree to abide by all of the conditions contained herein and assume full responsibility and liability for application of dust control material on the above described portion of public highway in Benton County, Iowa. The Applicant expressly agrees to indemnify, defend and hold the County, its directors, officers, and employees free and harmless from and against any and all loss, liability, expense, claims, costs, suits and damages including attorney's fee, arising out of Applicant's operation or performance under this agreement.

Signature of Applicant Date

CONDITIONS OF PERMIT

Dust control permits are granted subject to the following conditions:

- 1) The permit applicant will be responsible for marking the footage in front of their property. If no markers are found, the footage will be split equally on each side of driveway.
- 2) After the MC-70 has been applied, the Permit Applicant is responsible for perpetually keeping the treated portion free of "chuck holes" by filling them as soon as they develop.
- 3) Iowa law specifies that the purpose of a public highway is to serve the traveling public. Therefore, Benton County is obligated to, and reserves the right to tear up any treated portions and maintain them as rock surface if in the County's opinion, proper maintenance has not been done by the Permit Applicant. The County will give the applicant seven (7) days notice (from date of mailing) to take care of any holes or irregularities and if not remedied by that time the County will proceed to tear up the treated area and maintain it as a rock surface.
- 4) The permit is valid until **October 31st** of the year issued, and the County reserves the right to tear up all portions after this date without notice to the Permit Applicant if in the County's opinion the surface will not remain reasonable sound throughout the winter and may become a detriment to the traveling public.
- 5) The payment of the fees does not guarantee that the treated area will last to the satisfaction of the fee payer. Many conditions affect the performance of the treated surface such as traffic, weather, soil condition, and quality of material used.

Benton County MC-70 Dust Control 2024

*Benton County Secondary Roads
1707 West First Street
PO Box 759
(319) 472-2211*

The Benton County Board of Supervisors has adopted the “Benton County MC-70 Dust Control Program 2024” for the Benton County Secondary Roads.

Individual participation in the cost of the program will continue this year in the following manner:

1. MC-70 will be applied as soon after the deadline as possible, weather and road conditions permitting. The recommended application length will be 400 ft. With 50 ft. additional increments of length. The width will be approximately 24 ft.
2. The fee for a double application will be **\$1,500** per 400’ area. Additional footage is available at **\$2.50/foot** (minimum 50 feet). Second applications will be placed in the same location as the first. No deviation will be permitted.
3. Rural residents must sign up for the dust control program in the following manner:
 - a) The sign-up period is from now thru **May 3, 2024**.
 - b) Fee payments must be made at the time of sign up either by cash or check. Any check returned for insufficient funds will automatically void this application.
 - c) Applications and pricing information can be found on our website at: www.bentoncountya.gov/secondary_roads/ or at the County Engineer's Office, 1707 West First Street, Vinton. HOURS: 7:00 AM to 3:00 p.m. Monday through Friday
 - d) Treated sections may be torn up and bladed at any time if the surface becomes a detriment to traffic. After **October 31st**, such sections may not be maintained as a treated surface but may be reverted to a granular surface type.
4. The payment of the fees does not guarantee that the treated area will last to the satisfaction of the fee payer. Many conditions affect the performance of the treated surface such as traffic, weather, soil condition and quality of material used.
5. The treated sections may be torn up and bladed at any time if in the judgment of the Maintenance Superintendent and with the approval of the County Engineer, the surface has degraded to the extent that it has become a traffic hazard.
6. Unless approved by the County Engineer, all areas left through the winter will be scarified in the spring to prepare the road for the following year's application. No existing treated area will be allowed to have additional MC-70 applied.

Benton County will not guarantee that the first application will be completed by Memorial Day. After **October 31st, any treated sections may be torn up and reverted to a granular surface type.**

***Benton County Board of Supervisors, Rick Primmer (Chair), Gary Bierschenk, Tracy Seeman
Phone 319-472-4869***