

ALLEN COUNTY CODE TITLE 5 HIGHWAY DEPARTMENT

ARTICLE 1 ORGANIZATION

5-1-1 Chapter 1: Officials and Duties

5-1-1-1 Board of Commissioners

The Board of Commissioners of the County of Allen, Indiana, hereinafter referred to as the "Board", is responsible to the people for the proper administration of its county highways.

5-1-1-2 Powers

The Board shall formulate within the limits prescribed by the General Assembly the policy for the development and preservation of the county highway system. The Board shall not delegate this public responsibility to any other officer or to any other employee of the county. The Board, through the Highway Department, shall exercise the necessary powers to accomplish the purpose of this Title. These powers shall include, but not necessarily be limited to, the following:

- (a) To contract for the purchase of tools, equipment, materials and supplies.
- (b) To make purchases on the open market at a fair market price of any tools, equipment, materials or supplies when the cost of any such purchase does not exceed the amount prescribed by the laws of the State of Indiana.
- (c) To appoint technically qualified persons who act, subject to the direction and control of the Board and Highway Director, as the administrative and supervisory authority of the county highway system.
- (d) To exercise control of any phase of construction, maintenance or repair of the county highway system.
- (e) To lease, rent or otherwise acquire tools or equipment or housing thereof which is necessary for the county highway system.
- (f) To enter on lands within the County for any valid purpose of county highway administration.
- (g) To initiate condemnation proceedings where necessary for fee interests, rights-of-way, bottom pits or dumps for excess earth or rock. This shall include the right of access condemnation where necessary to prevent undue hardship to adjoining land owners to a right of way.
- (h) To cooperate and enter into agreements, not otherwise prohibited, with the State and City Highway Departments.

- (i) To provide a surety bond for a sum of \$5,000.00 for faithful performance of duties by employees charged with expenditure or control of supplies or equipment.
- (j) To prescribe road limits for any part of the county highway system.
- (k) To route a detour and mark such detour with adequate signs when it is impossible or undesirable for traffic to pass any part of the county highway system.
- (l) To close any road in the Allen County highway system for whatever period of time is necessary to carry out the purposes of this Title.

5-1-2 Chapter 2: Highway Director

5-1-2-1 Appointment

The Board shall appoint a County Highway Director to assist them in carrying out the duties and responsibilities imposed by this Title.

5-1-2-2 Qualifications

The County Highway Director shall be qualified to carry out the county highway construction and maintenance plans, be capable of understanding the plans and specifications and possess the ability to supervise the personnel employed in the County Highway Department.

5-1-2-3 Terms

The County Highway Director shall be employed for a term of one-year beginning January 1 and ending December 31 for each year he is appointed. The Board shall not discharge a Director during his term of office except for just cause.

5-1-2-4 Duties

The County Highway Director shall:

- (a) Supervise all employees working on the county highway system including engineering, maintenance, clerical, right of way, permits traffic engineering and others.
- (b) Advise the Board as to the number of employees required and the nature of their qualifications.
- (c) Hire and discharge all employees within the County Highway Department.
- (d) Purchase tools, equipment, materials and supplies under adequate specifications and upon the order and subject to the direction of the Board.

5-1-3 Chapter 3: Highway Engineer

5-1-3-1 Appointment and Qualifications

The Director, subject to approval of the Board, shall appoint as the County Highway Engineer, either a full-time registered engineer or employ the services of a qualified consulting engineer to act as engineer for the county highway system. The County Surveyor may be appointed to the position if he is properly qualified to serve.

5-1-3-2 Duties

The County Engineer shall:

- (a) Prepare all maps and plans;
- (b) Prepare technical specifications for construction, maintenance and repair of the county highways;
- (c) Prepare technical specifications in any contract by which the Board may provide for the construction, maintenance and repair of the county highway system;
- (d) Determine for the Board that contracts comply with the specifications prior to their adoption;
- (e) Undertake all engineering functions required in operating the county highway system and supervise those functions provided to the county under contract.

5-1-4 Chapter 4: Four Year Construction Plan

5-1-4-1 Preparation

On or before July 1, 1979, and each year thereafter, the Board shall have prepared under their direction and control, a four year construction plan for the county highway system, which shall go into effect on and after January 1 of the following year.

5-1-4-2 Construction Plan the Plan Shall Include:

- a. A map of the county showing the existing county highway system and other roads, and also showing proposed new construction.
- b. All sections of the county highway system to be constructed or reconstructed in the next four years
- c. The estimated total cost of such construction or reconstruction.

5-1-5 Chapter 5: Maintenance and Repair Plan

5-1-5-1

Each year by the 15th day of May, the Board shall have prepared under their direction and control, a four year construction plan for the county highway system, which shall go into effect on and after January 1 of the following year.

5-1-5-2

The plan shall include a map of the county highway system and set forth a program of major maintenance and repair, the nature of the work to be done and the estimated cost thereof.

5-1-5-3

The plan may be amended at any regular or special meeting to correct any omission or to provide for any emergency which may arise

5-1-6 Chapter 6: Budget

5-1-6-1

The budget prepared by the Board and the appropriation ordinance to be approved by the County Council for the county highway system shall be in accordance with the plans and specifications provided for in this act.

5-1-6-2

The funds required for maintenance and repair shall be stated separately from the funds required by construction.

5-1-6-3

Nothing in this Ordinance shall be construed to prevent budgeting and appropriating for emergency repairs. The plans and specifications provided for in this ordinance shall, within the limits of the law, serve as the authority for the expenditures made by the Board in the administration of the county highway system.