

# STATEMENT OF APPROVAL


On September 12, 2022, the Commissioners' Court of Hopkins County, Texas, met in Regular Session. During such session the court considered the following agenda item:

- 3) **The Court To Consider Citizens Comments.**
  - v) **The Court To Consider And Approve The Permit To Construct Access Driveway Facilities On County Roads.**

A motion was made, seconded and carried with a majority vote of the court for approval of the permit to construct access driveway facilities on county roads right of way.

**APPOINTED AND APPROVED** by the Hopkins County Commissioners' Court at the regularly scheduled meeting on the 12<sup>th</sup> day of September, 2022.

  
Robert Newsom, County Judge

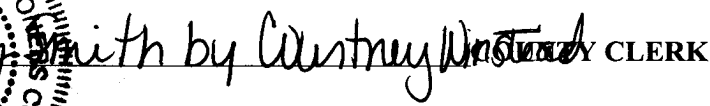
  
Mickey Barker, Commissioner, Pct. 1

  
Greg Anglin, Commissioner, Pct. 2

  
Wade Bartley, Commissioner, Pct. 3

  
Joe Price, Commissioner, Pct. 4



TEST:  
  
COURTNEY WINSTEAD, CLERK

**Permit to Construct Access Driveway Facilities on County Road Right of Way**

To: \_\_\_\_\_ County Road # \_\_\_\_\_

Permit No: \_\_\_\_\_ Commissioner: \_\_\_\_\_ Pct. # \_\_\_\_\_

Hopkins County hereinafter called the County, hereby authorizes \_\_\_\_\_ hereinafter called the Grantee, to (re)construct an access driveway on the County Road right of way abutting County Road number \_\_\_\_\_, in Hopkins County, located at \_\_\_\_\_.

Subject to the following:

- 1. The Grantee is responsible for all the cost associated with the construction of this access driveway.
- 2. Design of facilities shall be as follows and/or as shown on sketch:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**All construction and materials shall be subject to inspection and approved by the County.**

- 3. Maintenance of facilities constructed hereunder shall be the responsibility of the Grantee, and the County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the County Road. Changes in design will be made only with approval of the County.
- 4. The Grantee shall hold harmless the County and it's duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
- 5. Except for regulatory and guide signs at county roads and city streets, the Grantee shall not erect any sign on or extending over any portion of the County Road right of way, and vehicle service fixtures such as service pumps, vendor stands, or tanks shall be located at least 12 feet from the right of way live to ensure that any vehicle services from these fixtures will be off the County Road.
- 6. This permit will become null and void if the above-reference driveway facilities are not constructed with six (6) months from the issuance date of this permit.
- 7. The Grantee will contact the County's representative \_\_\_\_\_ telephone, ( \_\_\_\_\_), at least twenty-four (24) hours prior to beginning the work authorized by this permit.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Precinct Commissioner

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the County Road right of way.

\_\_\_\_\_  
**Date**

**Signed:** \_\_\_\_\_  
**(Property Owner or Owner's representative)**

**Printed Name:** \_\_\_\_\_

## **Hopkins County Policy and Specifications for Installation and Maintenance of Driveway Culverts on County Road Right-of-Ways**

Pursuant to the authority granted Hopkins County in Texas Transportation Code 251.003, 251.016, 254.006, and Texas Health and Safety Code 121.003, IT IS THEREFORE ORDERED THAT the following policies are adopted:

1. A property owner creating a new entry onto property from a county maintained public road that will require ditch work and/or culvert installation, must submit an application to the Commissioners Court for a permit authorizing such work or installation.
  2. It is the responsibility of the property owner to repair any road hazards, obstructions, drainage restrictions, and other right-of-way damages or issues caused by the new entry ditch work/ or culvert installation from county maintained public road.
  3. If Hopkins County Road and Bridge is performing ditch or ROW maintenance and it's necessary to temporarily remove an existing entry, Hopkins County Road and Bridge will reinstall the entry, to its original condition, at no cost to owner.
- A) The property owner shall contact the Hopkins County Commissioner of their precinct to confirm the appropriate culvert diameter size and length that'll allow adequate water flow and safe entry. A typical design for a private farm/ranch driveway should provide a minimum of 24 feet long culvert or longer.
- B) Hopkins County Road and Bridge cannot approve culverts in rights-of-way for State roads or on private roads.
- C) The Commissioners will provide you with a list of contractors. The County has no responsibility for the quality, timelines, or compliance of the landowner's contractor. Improper or unauthorized installations are subject to removal by the county and the restoration of the right of way. The landowner is responsible for reimbursing the County for the time and materials of any such restoration at the county's then posted hourly machine rate (currently \$150/hour).
- D) The property owner shall furnish all materials necessary for the construction of the access driveways and all County Road access authorized by permit. All materials shall be safe of satisfactory quality and shall be subject to inspection and approval by the Commissioner. Note: The Commissioners Court has discretion over the type of culvert used (corrugated steel, HDPE or D. Wall pipe) and is subject to approval.
- E) It is the property owner's responsibility to mark where the new culvert is to be installed.
- F) Access driveways shall be constructed to match the grade of the county road edge or the shoulder edge if a shoulder is present. The driveway shall be designed and constructed in such a manner as to not impede the flow of water away from the County Road. If the driveway is approved to be constructed at grade through the roadside ditch or natural grade of the roadside, the driveway shall be topped with a stabilized all weather surface material acceptable to the Commissioner to conform to the cross-section shape of the ditch or other natural grade of the roadside to form a stable driveway . An exception to using stabilized new surface may be approved if the roadside or ditch is naturally stabilized with rock which may be driven on without eroding or rutting in all types of weather.
- G) No culvert can be installed within 75 feet of another culvert.

- H) The property owner is responsible for calling Texas 811 before the dig is scheduled and have utilities marked where new culvert is to be installed.

811 confirmation: \_\_\_\_\_

- I) After installation, the property owner shall be responsible for any necessary maintenance and repairs;
- J) Hopkins County has the right to remove any culvert not in compliance and take any necessary corrective measures within county-maintained right-of-way to address drainage or water flow or similar concerns;
- K) Hopkins County will notify property owner in writing of improper install or improper functioning culvert. If not addressed in 10 days the County will perform the corrective actions for a charge not to exceed \$500.00.
- L) **Indemnification:** The Requesting Party shall hold harmless Hopkins County and its duly appointed agents and employees against any action for personal injury or property damage sustained during or after the installation of the new ditch/culvert. It is the property owner's sole responsibility to verify with Commissioner proper installation to ensure maximum vehicle safety.

Precinct 1 Commissioner Mickey Barker

Phone: (903)438-4031 Barn: (903)485-2040 Cell: (903)440-4146

Precinct 2 Commissioner Greg Anglin

Phone: (903)438-4032 Barn: (903)488-3514

Precinct 3 Commissioner Wade Bartley

Phone: (903)438-4033 Barn: (903)945-2178

Precinct 4 Commissioner Joe Price

Phone: (903)438-4034 Barn: (903)582-8840