

Clay County Resolution 2019-13

A RESOLUTION OPPOSING SENATE STUDY BILL 1045 AND SENATE FILE 184 PASSED BY THE SENATE COMMITTEE ON TRANSPORTATION

WHEREAS, the Transportation Committee in the Iowa Senate has passed House Study Bill 1045 (SF184) which would amend and make changes to Iowa Code Chapter 321 related to transportation of indivisible loads and raw forestry products on primary and non-primary highways, and:

WHEREAS, Clay County owns and maintains non-primary highways, and is fiscally and legally responsible for non-primary highways within the County, and:

WHEREAS, Clay County owns and maintains 137 structures classified as bridges by the National Bridge Inspection Standard, and;

WHEREAS, many of the bridges owned by Clay County are aging and structurally deficient or functionally obsolete, and;

WHEREAS, current funding is not adequate to replace or rehabilitate these bridges at the rate their conditions are deteriorating, and;

WHEREAS, the non-primary roads and bridges owned by Clay County serve a critical need for residents, agricultural users, businesses, schools, post offices, and emergency responders, and;

WHEREAS, the proposed bill would allow the Iowa Department of Transportation to issue annual permits to forestry industry haulers for loads up to 130,000 pounds on non-primary highways throughout Iowa, without knowledge of or notice given to the agencies which own these highways and the structures thereon, and;

WHEREAS, bridges within Clay County have been designed for loads that were legal on Iowa Roads at the time of their construction, and bridges have only been rated or posted with weight restrictions for loads that are currently legal on roads, and;

WHEREAS, each bridge within Clay County is unique based on its age, design and current condition, and;

WHEREAS, load rating to ensure safe passage of loads greater than 80,000 pounds would be unique for each load on each individual bridge, and;

WHEREAS, the traversing of Clay County bridges by loads up to 130,000 pounds without the County being afforded the knowledge of or the ability to restrict each occurrence, would result in gradual and possibly sudden failure of bridges within Clay County, and;

WHEREAS, Clay County would likely bear legal and financial liability for subsequent failure of its bridges, even if such failures are caused by loads they did not permit, and;

WHEREAS, Clay County is not financially able to repair or replace bridges which would be subject to accelerated deterioration by increased loads, and;

WHEREAS, Clay County and its residents, farmers, businesses, schools, post offices, and emergency responders, would be subjected to undue operational and economic hardships by further degradation of its road system and the structures thereon;

THEREFORE BE IT RESOLVED, that the Clay County Board of Supervisors strongly urges all Iowa lawmakers to vote in opposition to this legislation.

Resolved this 26th day of March, 2019

Clay County Board of Supervisors

/s/ Randy Swanson, Chair

/s/ Dan Skelton, Vice Chair

/s/ Burlin H. Matthews

/s/ Barry Anderson

/s/ Art Hamrick

Attest: /s/ Marjorie A. Pitts, Clay County Auditor