

**RESOLUTION #951-04-04-2023**

**Jackson County Dust Control Policy**

The County realizes that for personal reasons a citizen may wish to apply dust control at their cost. With this in mind, the County has established guidelines for citizens and commercial applicators that will aid the citizen and are safe for the environment.

The dust control application season is from **May 1 to September 30**. Application can be made during this time frame only. Prior to application, the County will need a preparation notice of one week. The schedule for notification is as follows:

<u>Notify on:</u>	<u>Can apply on:</u>
Monday	following Monday after 10:00 am
Tuesday	following Tuesday
Wednesday	following Wednesday
Thursday	following Thursday
Friday	following Friday

The County has approved the following materials for use: magnesium chloride, calcium chloride, glycerin, lignin sulfonate and calcium lignosulfonate. No other materials may be used without express written permission from the County Engineer. Per the Department of Natural Resources, used motor oil is strictly prohibited; any use can subject the citizen to a fine.

Applicators, both self and commercial, are not allowed to spray any dust control material on or within 50 feet of county bridges. Violators of this requirement face suspension of their dust control privileges for the remainder of the season.

Citizens can either apply dust control material themselves or hire a County-approved commercial applicator. The options are as follows:

- A. **Self-Application** - The citizen (or authorized individual) needs to come to the Engineer's Office and fill out a dust control permit.
- B. **Hire a commercial applicator** – The citizen (or authorized individual) needs to come to the Engineer's Office and fill out a dust control permit.

Upon completion of the permit, a citizen will be required to pay the fee listed on the permit. Also, the citizen must place flags marking the area to be treated, which will be provided by the County. The citizen should place the flags on both sides of the road at both ends of the area to be treated. They must be visible for the entire dust control season, and will not be maintained by the County. The County will not be responsible for accidentally blading treated areas if the citizen has not maintained their flags. Once flags are placed, the County will grade the road and prepare it for application. Application must be done on the day requested. If application is not made on that day, the applicator must contact the County to arrange another application day.

Once application is completed, the County will not grade the treated area unless the area becomes a hazard to the traveling public. The Engineer, or his/her authorized representative, will determine if any road repairs are needed, and the County shall not be held liable for the cost of the re-application made necessary by such repair.

If a second application is to be made later in the season, notification shall be made with the same notification schedule.

All commercial applicators shall provide a certificate of insurance that contains a special endorsement naming Jackson County as an additional insured. All notifications for application shall include name, address, township, length of application and material to be applied.

Alterations to the aggregate surface or crown of the road shall not be allowed, and commercial applicators shall not apply dust control material to altered road surfaces. If this occurs, the permit holder/commercial applicator shall pay the County to re-grade and apply aggregate to the road to restore proper conditions and the County shall not be liable for the cost of the dust control material. The permit holder/commercial applicator may also face suspension of their dust control privileges for the remainder of the season.

The permit is valid until October 1, after which the County reserves the right, regardless of actual conditions, to grade and apply aggregate to treated areas in order to prepare the road for winter.

This policy shall be in force until revised or terminated by the Board of Supervisors.

Recommended By: Todd Kinney  
Todd Kinney, P.E.  
County Engineer

Adopted this 4<sup>th</sup> day of April, 2023.

Mike Steines  
Mike Steines, Chairman  
Jackson County Supervisor

Nin Fligel  
Nin Fligel  
Jackson County Supervisor

Attest:  
Alisa Smith  
Alisa Smith,  
Jackson County Auditor

Don Schwenker  
Don Schwenker  
Jackson County Supervisor