

Department of Engineering
Tim Bryan, P.E., PTOE, County Engineer

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Office (601) 855-5582 FAX (601) 859-5857

MEMORANDUM

August 14, 2024

To: Casey Brannon, Supervisor, District I
Trey Baxter, Supervisor, District II
Gerald Steen, Supervisor, District III
Karl Banks, Supervisor, District IV
Paul Griffin, Supervisor, District V

From: Tim Bryan, P.E., PTOE
County Engineer

Re: Private Utility Permit
Whitworth Farms
Old Highway 51

Whitworth Farms requests to open cut Old Highway 51 to install a 15" private water main from a pond on the east side of Old Hwy 51 to a new pivot irrigation system on the west side. This request requires a variance from the County's policy governing the installation of utilities within the limits of county rights-of-way. This policy requires that all utility crossings of existing asphalt roads be bored but this applicant is requesting that the Board allow them to open cut the road.

If the Board elects to allow for this variance, the Engineering Department will have an inspector on site during the backfill of the trench to make sure that it is backfilled in a manner to reduce the road settling to the maximum extent possible.



PERMIT APPLICATION FOR THE CONSTRUCTION OR ADJUSTMENT OF A UTILITY WITHIN COUNTY ROAD RIGHT-OF-WAY

Utility Information: Utility Name: Whitworth Farms Limited Partnership
 Address: 2425 Chestnut St. City/State/Zip: New Orleans, LA 70130
 Contact Person: John W. Colbert Contact's Phone: 504-450-9079

Project Information: County Road Name: Old Highway 51
(If located within more than one road right-of-way, use Appendix 1 for additional descriptions)
 Beginning Location: GPS Coordinates 32.822707, -89.955715 Ending Location: GPS Coordinates 32.822822, -89.955917
East Side of Right-of-Way - approx. West Side of Right-of-Way - approx.

Length of Project: Width of Right-of-Way Section: 2 Township: 11 North Range: 3 East

Description of Work: Cutting and trenching of/across Old Highway 51, installation of an encased 15" PIP pipe and conduit for wire at a depth equal to or greater than 48" below the adjacent grade, and repairing of Old Highway 51 in order to connect the lake water and electricity sources to a center pivot irrigation system. Additional information is provided in the attached Exhibit A.

Check Box if Appendix 1 is to be included as a part of this Application

Whereas the above stated Utility makes application to the **Madison County Board of Supervisors** for a Construction Permit. Attached hereto are drawings and plans for the construction of the above facilities located within Madison County owned public rights-of-way. Once stamped by the Madison County Engineering Department, these plans shall not be changed or altered without written approval of the County Engineer, or his representative. A copy of the approved permit and plans shall be on-site at all times during construction.

The Applicant Utility shall comply with all policies, procedures and construction practices as outlined in *A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads* (hereinafter referred to as the "Policy"), as adopted on November 1, 2005, by the **Madison County Board of Supervisors**, and which is hereby made a part of this Application Agreement.

If facilities are to be located within the Rights-of-Way of the County-Federal or State Aid System, Applicant Utility also agrees to comply with applicable provisions of *S.O.P. No. SA II-2-8, Accommodation of Utilities on Rights-of-Way*, issued by the State Aid Engineer and dated July 1, 2005.

The Applicant Utility understands and agrees that, except as herein granted, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit. If this Utility is listed in the general provisions of the Policy, it will be adjusted to comply with same without cost to the County, unless the variance from the Policy has been approved by the granting of the Permit pursuant to this Application.

The Applicant Utility further understands that the Utility's engineering, plant, or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans. If work impacts traffic in any way, the appropriate traffic control shall be installed per the *Manual of Uniform Traffic Control Devices*, Latest Edition.

The Applicant Utility understands that the County Engineer, or his representative, may issue a Stop Work Order at any time if it is deemed that site conditions are not suitable for construction or if any of the requirements of this permit are not being met.

Many County Roads have variable Rights-of-Way and/or no Right-of-Way at all and are maintained under a Prescriptive Easement. It is the sole responsibility of the Applicant Utility to verify the existence and limits of public rights-of-way. If none exists, it is the

responsibility of the Applicant Utility to acquire an easement for their Facilities from the applicable property owner(s). Madison County in no way verifies the limits of Right-of-Way as shown on the permit application.

The Applicant Utility shall be responsible for all future maintenance and repair of the facilities installed under this permit. The Applicant Utility shall make future adjustments to, or relocate, the facilities located within road or highway right-of-way when required for road or highway widening or other road or highway construction at no cost to Madison County. The Applicant Utility shall relocate said utilities within sixty (60) days of notification by County by registered mail, return receipt requested, unless otherwise designated by the County Engineer. Further, any maintenance, repair, or construction shall be done in such a manner as to occasion no unreasonable interference with the normal flow and safety to traffic and at the expense of the utility company. When reasonable care has been taken to locate said utility facilities within the right-of-way, the Applicant Utility understands that any damages caused by routine maintenance and construction by County forces shall be borne by the Applicant Utility.

The Applicant Utility further agrees to indemnify and hold Madison County harmless for any and all claims, accidents, damages, liabilities and expenses occasioned wholly, or in part, by any act or omission of applicant, its agents or employees. In case County shall, without fault on its own part, be made a party to any litigation commenced by or against applicant, then applicant shall protect and hold County harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by County in connection with said litigation.

All underground facilities shall be installed at a depth equal to or greater than 48" below the lowest adjacent grade.

All pipes carrying liquid shall be encased under County maintained roads.

WITNESS the signature of the Applicant this the 28th day of July, 2024.

By: John W. Colbert
(Applicant Signature)
President, Whitworth Farms Corporation, General Partner
Title: of Whitworth Farms Limited Partnership

Note: Applicant must be an employee of the Utility named in this application. The Madison County Board of Supervisors will not recognize a Contractor, Subcontractor, Agent, or Consulting Engineer as the Applicant. Utility Company shall be fully responsible for all work performed under this application.

I, or my authorized representative, have reviewed this application and determined that the drawing, sketches, and plans submitted by the Applicant meet the requirements of A Policy for The Accommodation of Utility Facilities within the Right-of-Way of all Public County Roads.

APPROVED
By timothy.bryan at 11:06 am, Aug 14, 2024
Tim Bryan, P.E.
County Engineer

AGREED TO AND APPROVED BY:

Madison County Board President

Date: _____

ENTERED INTO THE MINUTES OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI ON THIS
____ DAY OF _____, 20____.

Exhibit A to Permit Application – Additional Information

1. The road cutting and trenching, encased pipe and wire installation, and road repair would generally be performed as follows: excavate thru roadway, install pipe and conduit for wire, backfill, crusher run base aggregate and concrete patch on top. The trench will be approximately 36" wide, and 65" deep with a cover of 48" over the top of pipe (this can be adjusted to meet the County Engineer's specifications). Time to complete would likely be 8am until sometime between 8am and noon the following day. This time to complete would be with the intent of concrete being able to dry/cure overnight. If the County Engineer prefers, the repair could stop with the aggregate patch or be completed with an asphalt patch.
2. The described work is necessary to facilitate, **on a cost-effective basis**, the installation of an approximate 312.70-acre irrigation system with the lake water and electricity sources being on the east side of Old Highway 51 and the center pivot irrigation system being in the field on the west side of Old Highway 51. **If the work is not permitted as described with the road cutting, trenching, and repair, the center pivot system cannot be justified because dry-jack boring and encasing the 15" PIP pipe would be cost prohibitive.**
3. Whitworth Farms Limited Partnership ("WFLP") owns the land on both sides of Old Highway 51 for almost two (2) miles, including the point of crossing where the work is to be performed.
4. Old Highway 51 is very lightly traveled. This is especially true at the point where the described work is to be performed, which is between Highway 17 and Bill Pressley Road. Highway 17 and Bill Pressley Road each connect Old Highway 51 to U.S. Highway 51, which runs parallel to Old Highway 51 about a mile to the west. This stretch of Old Highway 51 was closed recently to through traffic for over a year when the Loves Creek bridge was being repaired. The closure for approximately a day and a half (possibly only for a few hours without the concrete patch) to do the described work would hopefully prove to be a minor inconvenience at most.
5. WFLP and the Whitworth family have owned and farmed this and other north Madison County property for many decades. For 2023, WFLP paid Madison County property taxes of \$29,300.45, which is consistent with the property tax amount paid in recent years.

Exhibit A to Permit Application – Additional Information

1. The road cutting and trenching, encased pipe and wire installation, and road repair would generally be performed as follows: excavate thru roadway, install cased pipe and conduit for wire, backfill, crusher run base aggregate and asphalt patch on top.
 - a. The main pipe will be 15” PIP (Plastic Irrigation Pipe) with a 100# PSI rating.
 - b. The casing will be 24” steel casing pipe with a 0.375” wall that is seam welded on site.
 - c. Road to be saw cut on each side of the trench so that there is a neat edge before removing existing asphalt.
 - d. The trench will be a minimum of 78” in width (or a lesser width, if, and as, approved onsite by the Madison County Engineering Inspector), provide for a minimum depth of bury that is 48” from the top of the casement pipe to the bottom of the lowest adjacent grade (typically, the bottom of adjacent ditches) and extend a minimum of 10 feet on each side of the outside edge of pavement.
 - e. Crusher run based aggregate filler to be #610 installed in maximum 12” lifts and compacted with a plate tamp.
 - f. Asphalt patch to be SC-1 type 8 or 9.5 mm asphalt with a minimum depth of 6”.
 - g. Time to complete would likely be 8am until sometime between 8am and noon the following day.
 - h. Work to be performed by a licensed and bonded contractor.
 - i. See attached drawing generally reflecting the completed work.
2. A MUTCD compliant traffic control plan and detour route will be implemented in a manner substantially similar to that in effect during the closure of the Loves Creek bridge with the work site location being the equivalent of the bridge location, as reflected in the attached “TCP From Bridge Project” pdf. Note – Old Highway 51 is also known as Oak(s) Road and the Loves Creek bridge is located approximately 2,350 feet south of the work site.
3. Contact shall be made with the Madison County Engineering Inspector, Shelton Marberry, at 601-906-1922 a minimum of 24 hours prior to any work commencing on the site.
4. The described work is necessary to facilitate, **on a cost-effective basis**, the installation of an approximate 312.70-acre irrigation system with the lake water and electricity sources being on the east side of Old Highway 51 and the center pivot irrigation system being in the field on the west side of Old

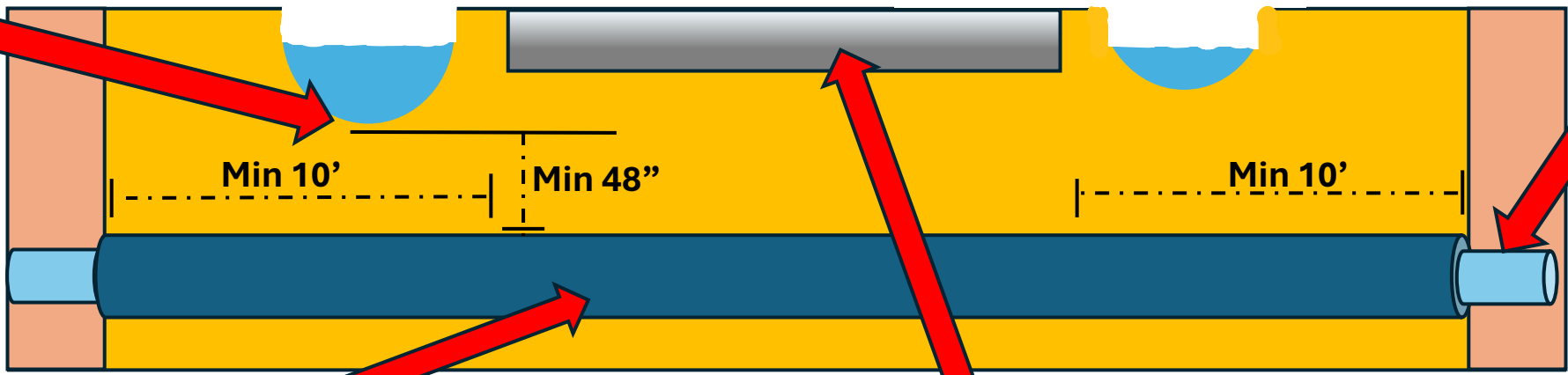
Highway 51. **If the work is not permitted as described with the road cutting, trenching, and repair, the center pivot system cannot be justified because dry-jack boring and encasing the 15” PIP pipe would be cost prohibitive.**

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7. WFLP and the Whitworth family have owned and farmed this and other north Madison County property for many decades. For 2023, WFLP paid Madison County property taxes of \$29,300.45, which is consistent with the property tax amount paid in recent years.

Exhibit A: Drawing Attachment

Old Highway 51: Head-On View (North/South)

Ditch on Side of Road/Bottom of Lower Adjacent Grade



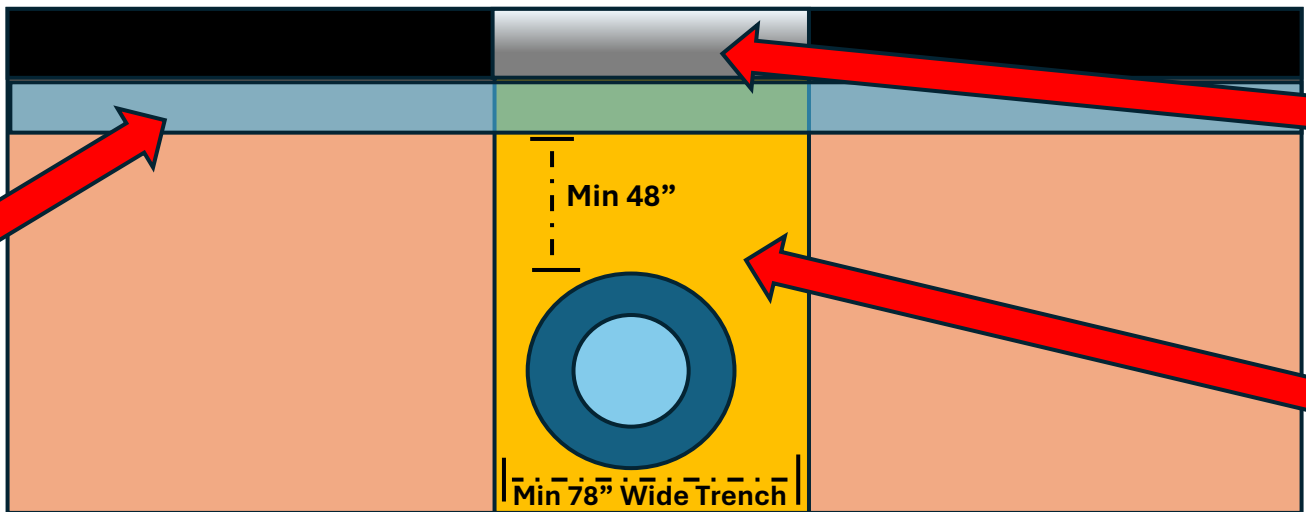
15" PIP Pipe

Asphalt Patch

24" Seam Welded 0.375" Wall Steel Casing Pipe

Old Highway 51: Cross-Sectional View (East/West)

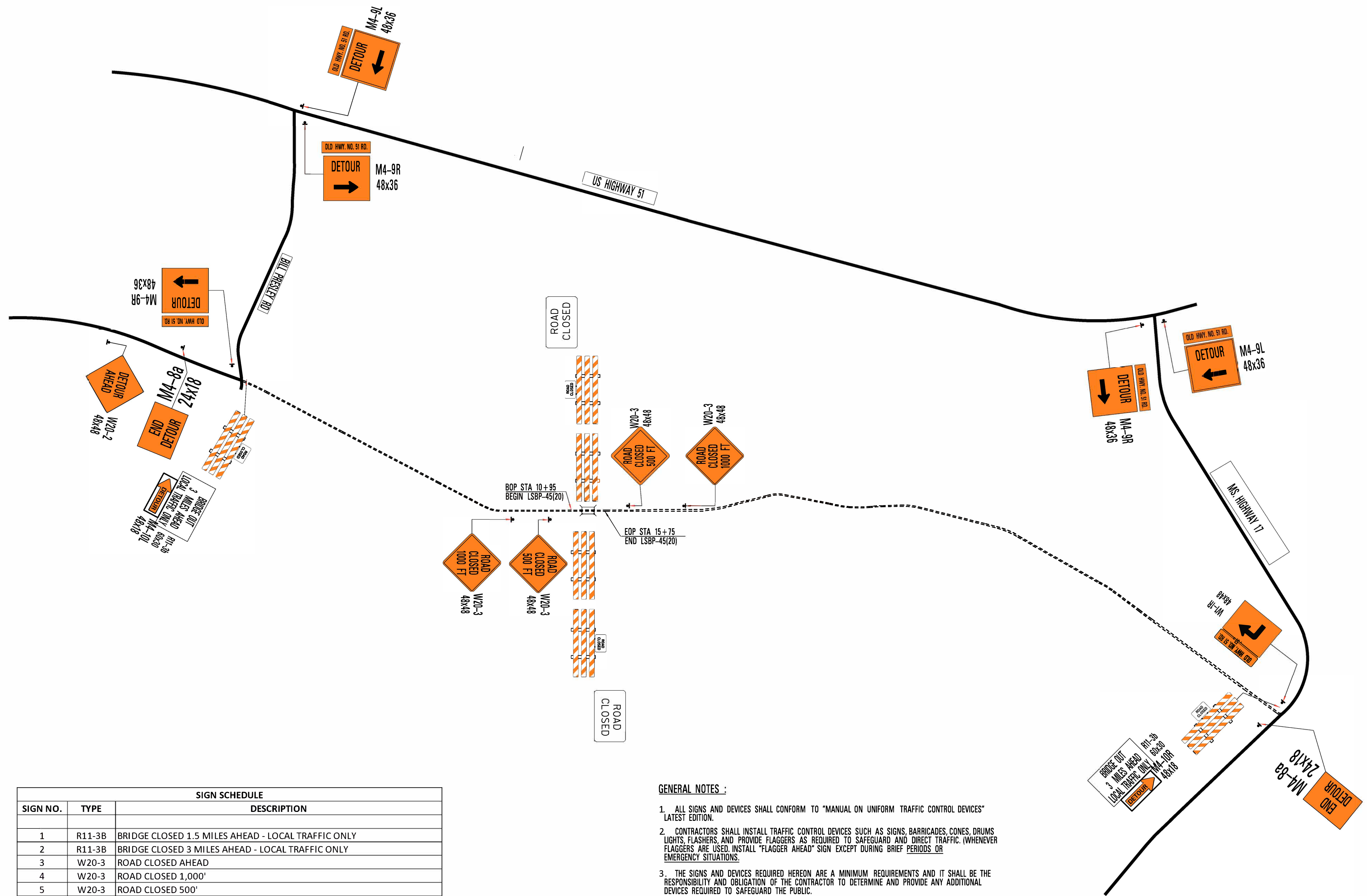
Ditches on Sides of Road/Bottom of Lower Adjacent Grade



Asphalt Patch (6" Minimum)

#610 Crusher Run Based Aggregate Filler

Min 78" Wide Trench



SIGN SCHEDULE		
SIGN NO.	TYPE	DESCRIPTION
1	R11-3B	BRIDGE CLOSED 1.5 MILES AHEAD - LOCAL TRAFFIC ONLY
2	R11-3B	BRIDGE CLOSED 3 MILES AHEAD - LOCAL TRAFFIC ONLY
3	W20-3	ROAD CLOSED AHEAD
4	W20-3	ROAD CLOSED 1,000'
5	W20-3	ROAD CLOSED 500'
6	R11-2A	ROAD CLOSED
7	TYPE III	BARRICADE ACROSS ENTIRE ROADWAY (50+/- OUTSIDE OF PROJECT LIMITS)
8	M4-9L	DETOUR (LEFT)
9	M4-9R	DETOUR (RIGHT)
10	W20-2	DETOUR AHEAD
11	M4-8A	END DETOUR

GENERAL NOTES :

- ALL SIGNS AND DEVICES SHALL CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" LATEST EDITION.
- CONTRACTORS SHALL INSTALL TRAFFIC CONTROL DEVICES SUCH AS SIGNS, BARRICADES, CONES, DRUMS, LIGHTS, FLASHERS, AND PROVIDE FLAGGERS AS REQUIRED TO SAFEGUARD AND DIRECT TRAFFIC. (WHenever FLAGGERS ARE USED, INSTALL "FLAGGER AHEAD" SIGN EXCEPT DURING BRIEF PERIODS OR EMERGENCY SITUATIONS.)
- THE SIGNS AND DEVICES REQUIRED HEREON ARE A MINIMUM REQUIREMENTS AND IT SHALL BE THE RESPONSIBILITY AND OBLIGATION OF THE CONTRACTOR TO DETERMINE AND PROVIDE ANY ADDITIONAL DEVICES REQUIRED TO SAFEGUARD THE PUBLIC.
- TRAFFIC CONTROL DEVICES SHALL BE INSTALLED WHENEVER NECESSARY REMAIN IN PLACE AS LONG AS THEY ARE NEEDED, AND BE REMOVED IMMEDIATELY WHEN THE NEED CEASES.
- INSTALLATION OF SIGNS AND BARRICADES SHALL CONFORM TO STANDARD DRAWING NOS. 6358 AND SA-TSP-1.
- PAY FOR INSTALLATION MAINTENANCE AND REMOVAL OF TRAFFIC CONTROL DEVICES WILL BE MADE UNDER PAY ITEM NOS. S-618-A AND S-618-B.
- CONTRACTOR SHALL INSTALL ADVANCE WARNING SIGNS SUCH AS - WATCH FOR TRUCKS, TRUCKS TURNING, TRUCKS CROSSING, ETC. AND PLACE FLAGGERS AS DIRECTED BY THE LSBP ENGINEER ALONG PUBLIC ROADS ON EACH SIDE OF BORROW PIT ENTRANCE OR CROSSING OF PUBLIC ROADS.
- SEE SPECIAL PROVISION NO. 901-S-618-1 FOR ADDITIONAL INFORMATION.