



MEMO

TO: Brown County Village & Towns
FROM: Brown County Highway Commissioner
RE: County Bridge Aid Requirements & Guidance
DATE: March 20, 2024

REQUIREMENTS:

State Statute 82.08 describes the requirements for County Bridge Aid (Villages follow 82.08 as well per Statute 61.48):

1. *82.08(1)* The Town needs to vote to construct or repair the bridge or culvert in question.
2. *82.08(1)* The bridge or culvert must be "on, or that after the construction will be connected, to an existing highway maintained by the town."
3. *82.08(1)* "The Town may file a petition for county aid with the County Highway Commissioner."
4. *82.08(1)* "The petition shall describe the location and size of the bridge or culvert and shall contain a statement that the town has provided the funds required."
5. *82.08(1) and 82.08(2)* Projects must be "for a bridge or culvert with a 36-inch or greater span, or a structure of equivalent capacity to carry water." Based on 82.08(1) and 82.08(2), driveway culverts, storm sewer construction, and bicycle and/or pedestrian bridges are not eligible for funding. The eligible structure must be 'on an existing highway' and 'carry water' under the highway.
6. *82.08(3)* "The town and county shall each pay one-half of the cost of construction or repair. In determining the cost of construction or repair of any bridge or culvert, the cost of constructing or repairing any approach not exceeding 100 feet in length shall be included."

7. 82.08(4) “EMERGENCY PETITION. Whenever the construction or repair of any bridge or culvert must be made without delay, the town board may file its petition with the ‘county highway commissioner’, explaining the necessity for immediate construction or repairs. It shall then be the duty of the town board and the ‘county highway commissioner’ to construct or repair the bridge or culvert as soon as practicable. The construction or repair of a bridge or culvert undertaken pursuant to this subsection shall entitle the town to the same county aid that the town would have been entitled to had it filed its petition with the county board as provided in 82.08(1).”
8. 82.08(5) “The county ‘highway commissioner’ {per 83.015(2)(b)} and the town board shall have full charge of design, sizing, letting, inspecting, and accepting the construction or repair, but the town board may leave the matter entirely in the hands of the county ‘highway commissioner.’ The county ‘highway commissioner’ and the town board must agree on the cost of the project and must consult each other during construction.”
9. 82.08(5) – “*design and sizing*” Eligible engineering costs include specific project related hydraulic study used to size the structure, WisDNR permit cost, and engineering design of the structure. Area wide drainage, storm sewer management planning, or other studies not directly related to the specific structure are not eligible costs.
10. 82.08(5) – “*accepting the construction or repair*” Reimbursement requests can only be submitted when the project is complete and ready for field review, unless the project is a WisDOT project run through Brown County, or a project the County is doing for the municipality.
11. 82.08(5) – “*accepting the construction or repair*” Final reimbursement for bridges over 20’ in length will not be paid until all required structure information is submitted into the State HSI (Highway Structure Information) system. Including an initial FHWA structure inventory and appraisal inspection.
12. 82.08(6) No County Bridge Aid may be drawn “for the construction of a bridge or culvert unless the design and construction comply with requirements under s. 84.01(23).”

“84.01(23) BRIDGE STANDARDS. The department shall adopt standards and specifications for the design and construction of county, town, village, and city bridges, arches or culverts. The standards and specifications shall be developed after consultation with the department of natural resources and shall be directed at preventing undue impairment of public rights in navigable waters. All highway bridges, arches, and culverts constructed or reconstructed by a county, town, village, or city shall be done in accordance with these standards and specifications.”
13. 82.08(8) “The county may charge the towns that apply for aid under this section an administration charge. The administration charge shall be fixed as a percentage of the total costs of administering aid under this section and the percentage shall be no more than the percentage that the county charges the state for records and reports.”

COUNTY BRIDGE AID GUIDANCE:

Here are the steps for County Bridge Aid projects:

1. Town/Village approves project and funding at their Board meeting.
2. Town/Village petitions the County for Bridge Aid annually for the next year as part of both the Town and County budget process (unless it's an emergency petition). Note: *Use the Bridge Aid Petition Fillable Form on the Highway Department's website.*
3. County Highway Commissioner approves the project.
4. Town/Village designs/size's structure and secure all needed permits including WisDNR permits for the work. The Town/Village can either hire a consultant for this work or can request (hire) the County Highway Department to perform the work.
5. Town/Village advertises and lets the work out to the lowest responsible bidder per state law or can request (hire) the County Highway Department to perform the work.

6. Town/Village pays the contractor or Highway Department for work performed.

7. The County Highway Department will bill the Town/Village after the project is complete the most current State set rate for administrative charges for the project.

8. Town/Village submits *Reimbursement for County Bridge Aid Form* from the Highway Department's website with invoices attached.

9. County Highway Department performs field review of site and approves reimbursement. The County Highway Department will send reimbursement for half of the total construction/engineering cost.



