

**Final Hearing Report
Big Bear Farms & Golf Village
Drainage Petition per Ohio Revised Code Sec. 6131
March 24, 2026**

This report has been prepared for the final hearing on a drainage petition filed by The Homeowners Association for Big Bear Farms on November 21, 2023. The petition was signed by 1 individual representing 2 of the 31 parcels in the watershed.

The general location and course of the requested improvements are quoted from the petition as follows:

In Delaware County, Liberty Township, within Section 2 Part 2 of the Big Bear Farms subdivision and generally following, but not limited to, the course and termini of existing improvements. This specifically includes, but is not limited to, the retention ponds located within Big Bear Farms subdivision, immediately south of Seldom Seen Road.

The following is the nature of the work petitioned:

To generally improve the drainage, both surface and subsurface, to a good and sufficient outlet, by replacing, repairing or altering the existing improvements as required and/or creating new surface and subsurface drainage mains or laterals, as requested, by this petition, and to maintain these improvements.

Petition Process

This petition has been submitted according to section 6131 of the Ohio Revised Code, which authorizes the County Commissioners to act on behalf of benefited property owners to make drainage improvements as requested by the petitioners. If the Commissioners decide to proceed with a project, the costs related to the improvements are collected via special assessment to the landowners in the subdivision. The construction assessments would be placed on the property tax bills of the benefited landowners and can be spread over a maximum of 15 years with 30 semi-annual installments depending on the method of payment chosen by the Commissioners. Additionally, the improved stormwater system will be added to the Delaware County Drainage Maintenance District per Ohio Rev. Code Section 6137 and the annual maintenance assessments will appear on property tax statements as a special assessment in the same manner as the construction assessments. These annual maintenance assessments are generally in the range of two to five percent of the construction assessment.

The decision to approve a petition project is a 3-step process. First, a viewing of the proposed drainage petition is conducted for the Commissioners to familiarize themselves with the site. The commissioners conducted the viewing for this project by drone video on February 22, 2024. Next, a preliminary hearing is held to consider the initial feasibility and benefit of the request. This hearing was held May 13, 2024. At this first hearing, the Commissioners found in favor of the petition. They requested the Delaware County Engineer and the Delaware Soil and Water Conservation District to proceed with the detailed inspection and assessment of the storm water system, the development of engineering plans and specifications, and the development of the schedule of assessments. It is this information that is before the Board of Commissioners at this second and final hearing.

Project Scope

The project will begin on the north side of Seldom Seen Road and extend to the north approximately 500 feet to the retention pond located on the Golf Village Property Owners Association parcel. The primary items of work will include surface drain shaping and grading, the installation of subsurface drain pipe, the removal of existing structures and the installation of new drainage structures, the installation of erosion control measures, and seeding and mulching of disturbed areas.

Project Estimate

Construction	\$ 48,655.87
Administration, Survey, and Engineering	\$ 3,480.00
Construction Supervision and Inspection	\$ 3,500.00
Contingency	\$ 10,000.00
Drainage Maintenance 1 st Year Pay-in	\$ 2,432.79
TOTAL CONSTRUCTION ESTIMATE:	\$ 68,068.66

Calculation of Assessments

The Ohio Revised Code instructs the County Engineer to calculate the assessments to individual property owners based on the benefits received from the improvements for the various properties in the watershed. The Revised Code further describes benefited land as such:

“Uplands that have been removed from their natural state by deforestation, cultivation, artificial drainage, urban development, or other human methods shall be considered to be benefited by an improvement that is required to dispose of the accelerated flow of water from the uplands.”

Assessments to individual parcels have been calculated using the following formula, a rationale that is widely used throughout the state of Ohio.

$$(\text{Acres Benefited}) \times (\text{Land Use Factor}) \times (\text{Percent of Improvement Used}) \times (\text{Remote Factor}) = (\text{Individual Parcel Assessment Factor})$$

Each parcel's assessment is then determined by:

$$(\text{Individual Parcel Assessment Factor}) / (\text{Total of all Individual Assessment Factors}) \times (\text{Total Construction Cost}) = (\text{Parcel Assessment})$$

Explanation of Factors:

- **Acres Benefited**
Total number of acres within a given parcel that contribute drainage to the improvement.
- **Land Use Factor**
The relative benefit to parcels of drainage based on the amount of increased storm water runoff resulting from the land use of the parcel.
- **Percent of Improvement used**
The point at which drainage from a given parcel enters the improvement. Parcels are only assessed for the portion of the improvement that lies downstream of the parcel. All parcels for this project have been assigned a 100% use factor.
- **Remote Factor**
The remote factor is based upon a parcel's distance from the improved section of the drainage course and is typically established in ½ mile increments. Parcels that are most "remote" from the actual improvement receive the greatest reduction on their assessment. No remote factor has been applied for this project.

The residential parcels within Big Bear Farms Section 2 Part 2 have been grouped as one block for the purpose of calculating these assessments with the resulting total being split equally amongst the 27 properties.

Benefits versus Cost

One of the primary factors set forth for the consideration in the approval or dismissal of a petition request is the actual benefit of the proposed improvements to the watershed in question.

Benefits that are commonly perceived as a result of suburban drainage improvements focus on quality of life and positive neighborhood perception. Communities that have planned and maintained drainage infrastructures generally have higher resale values than those communities that are known to have a history of drainage problems and flooding. When evaluating the cost of providing adequate drainage outlets for residential properties, we find

that for new construction, developers or homebuilders spend on average \$8,700 per lot to attain adequate drainage infrastructure within a development. With 27 residential parcels in the watershed, the potential average benefit is \$234,900 at minimum. While this analysis does not consider many potential variables, it could aid in the decision-making process.

For roadway drainage, the lack of an adequate drainage outlet can lead to standing water on the roadway surface resulting in traffic safety hazards and increased routine maintenance of the roadway surface. It can also lead to a saturated road base which can decrease the lifespan of the roadway pavement increasing the need for capital improvement projects.

The benefits to this proposed project will be realized well beyond the construction repayment term. As previously stated, the construction assessments would be placed on the property tax bills of the benefited landowners and can be spread over a maximum of 15 years. Alternatively, assessments can be paid in full within 30 days after the close of the final hearing without paying interest. The long-term benefits will be realized by virtue of this project being placed on the County Drainage Maintenance Program in perpetuity per Ohio Revised Code Section 6137 which requires maintenance funds to be collected semi-annually similar to the construction costs. These maintenance funds are applied to the annual inspection and maintenance of this specific project.

Recommendations

Based on the information gathered for this petition request, I believe this project as proposed is technically feasible, would serve as an adequate outlet for the drainage needs of the watershed, and likely meets the conditions for approval set forth in Ohio Rev. Code Sections 6131.12 and 6131.21. Furthermore, the parcel assessments for this project are within the range of assessments that can be expected for a project of this scope. However, the testimony brought to the Board of Commissioners by the landowners as to whether the benefits of this project exceed the costs should be given significant consideration in the decision to move forward with this project.

Should the Board of Commissioners choose to move forward with this project and affirm the order to proceed, I would request a separate resolution confirming the schedule of assessments and ordering the project to be advertised for competitive bid per Ohio Rev. Code Section 6131. The resolution shall also determine the period of time, in semi-annual installments, as taxes are paid, shall be given the owners of land benefitted to pay the construction assessments.

If the Board of Commissioners chooses to dismiss the petition, I would recommend a resolution reflecting that decision and that the costs for the proceedings, including the costs incurred by the Board of Commissioners, the County Engineer, and the Delaware Soil and Water Conservation District in making the reports and schedules be distributed to the benefiting property owners in the same ratio as determined in the final estimated assessments presented at this hearing. This amount is estimated to be \$3,000.

Prepared by,



Bret Bacon
Deputy Administrator
Delaware SWCD

Approved by,

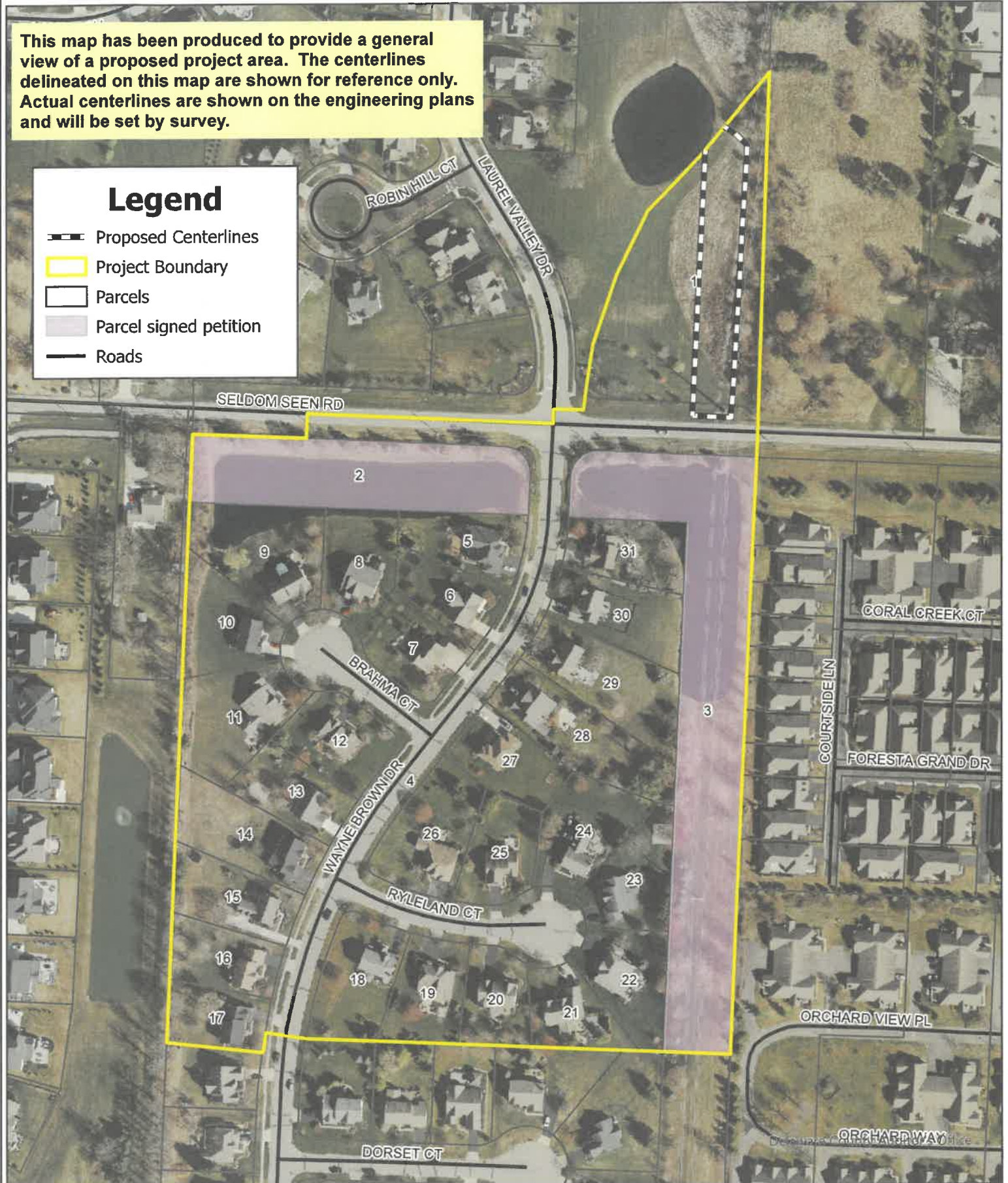


Chris Bauserman, P.E., P.S.
Delaware County Engineer

This map has been produced to provide a general view of a proposed project area. The centerlines delineated on this map are shown for reference only. Actual centerlines are shown on the engineering plans and will be set by survey.

Legend

-  Proposed Centerlines
-  Project Boundary
-  Parcels
-  Parcel signed petition
-  Roads



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0 110 220
Feet

Note: The Delaware SWCD makes no guarantee or warranty as to the accuracy of the information on this map.

