

**Final Report
Evergreen Cemetery Watershed
Drainage Improvement Petition
per Ohio Revised Code Sec. 6131
June 4, 2026**

This report has been prepared for the preliminary hearing on a drainage improvement petition filed by the Trustees of Berlin Township on February 19, 2025. The original petition has been signed by 1 entity representing 1 of the 2 parcels in the watershed.

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

“In Delaware County, Berlin Township, within the Evergreen Cemetery watershed and generally following, but not limited to, the course and termini of the existing improvements.”

The following is the nature of the work requested, as quoted from the petition:

“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.”

The Evergreen Cemetery watershed is approximately 4.6 acres. The current land use in the watershed is 100% cemetery.

Petition Process

This petition has been submitted according to Ohio Revised Code Section 6131 which authorizes the Board of County Commissioners to act on behalf of benefited property owners to make drainage improvements. 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 watershed according to the benefit received. 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 improvements will be placed on the county drainage maintenance program per Ohio Revised Code Section 6137 with maintenance funds being collected semiannually similar to the original construction costs. These annual maintenance assessments are generally 2 to 5 percent of the construction assessment.

The decision to approve a petition is a 3-step process involving a viewing, an initial, or first, hearing, and a second, or final, hearing. A viewing of the proposed improvements was conducted by drone video on June 16, 2025, by the Commissioners to familiarize themselves with the location and condition of the existing improvements. Next, the first hearing was held on September 8, 2025. At the 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 in the development of engineering plans and specifications and the schedule of assessments. It is this information that is before the Board of Commissioners for consideration at this second and final hearing.

Project Scope

The proposed project will begin at the Peachblow/Connor Ln #1209 Drainage Maintenance project and extend upstream approximately 465 feet to the Berlin Township property. The primary items of work will include subsurface drain and drainage structures installation and seeding and mulching.

Project Estimate

Construction	\$ 28,550.00
Administration, Planning and Inspection	\$ 2,200.00
1 st Year Drainage Maintenance	\$ 1,537.50
Contingency	\$ 785.00
TOTAL ESTIMATED COST:	\$ 40,142.50

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 ORC further defines benefited land as:

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

Given the land use of both benefitting parcels is identical and both parcels have the ability to use the entire length of the project, the assessments have been determined based upon the acres benefitted for each parcel.

Benefits versus Cost

Cemeteries benefit from good drainage in a variety of ways. Poorly drained soil can often lead to water accumulation during grave excavation and can also make normal management activities such as grass establishment and mowing difficult as well as lead to degradation of monuments, markers, and drives and walkways. The lack of good surface grading can result in areas of ponded water limiting access. In short, a good and sufficient drainage outlet is essential to the effective management of a cemetery.

Recommendations

Based on all of the information gathered and generated, I believe this project as proposed is technically feasible and would serve as an adequate outlet for the drainage needs of the watershed. Furthermore, the parcel assessments for this project are within the range of assessments that can be expected for a project of this scope. 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.

A resolution affirming the order to proceed for each section, confirming the schedule of assessments, and ordering the project to be advertised for competitive bid, per Section 6131 of the O.R.C., will be necessary. The resolution by the Board of Commissioners shall also determine how long a period of time, in semi-annual installments, as taxes are paid, shall be given the owners of land benefited to pay the construction assessments.

If the Board of Commissioners chooses to dismiss the Petition in whole or in part, 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 surveys, plans, reports and schedules be distributed to the benefiting landowners in the same ratio as determined in the final estimated assessments presented at this hearing. This amount is currently estimated at \$1,750.

Prepared by,



Bret Bacon
Deputy Administrator
Resource Conservation Program Coordinator
Delaware Soil and Water Conservation District

Approved by,



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



Delaware Soil & Water Conservation District
PO Box 8006
1610 State Route 521
Delaware, OH 43015
(740) 368-1921



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Feet

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

