

**Final Hearing Report
Liberty Lakes Sections 1 & 2
Drainage Petition per Ohio Revised Code Sec. 6131
October 21, 2025**

This report has been prepared for the final hearing on a drainage petition filed by the Liberty Lakes HOA and others on May 19, 2023. The petition was signed by 10 individuals representing 10 of the 111 properties within the condominium.

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

In Delaware County, Liberty Township, within the Liberty Lakes Section 1 & 2 subdivision and generally following, but not limited to, the course and termini of the existing improvements.

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 per the associated engineering plans.

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. Should the commissioners find in favor of the petition, the existing storm water drainage system will be added to the Delaware County Drainage Maintenance District and assessed in the same manner as other parcels included in the Drainage Maintenance District. The special maintenance assessments that follow this action would appear on each property's tax duplicate semi-annually. The cost of maintenance is assessed against the taxable value of the property, and the current assessment rate is 0.3 mils.

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 September 11, 2023. Next, a preliminary hearing is held to consider the initial feasibility and benefit of the request. This hearing was held December 4, 2023. 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.

Existing Conditions

The Delaware Soil and Water Conservation District performed an inventory and evaluation of the existing storm water drainage system. The system generally appears to have been installed and is functioning per the original engineering plans. There were no items identified requiring immediate repair or maintenance work.

The existing retention ponds will be maintained for storm water functionality only. Aesthetic maintenance will remain the responsibility of the Liberty Lakes Homeowners Association.

Maintenance and Construction Cost Estimate

The estimated current value of the infrastructure within the Liberty Lakes 1&2 subdivision is \$985,683.78. If approved, this amount would be added to the overall base value of the Drainage Maintenance District. The average annual maintenance assessment to be collected is \$47.95 with the minimum collection being \$40.47 and the maximum being \$60.02.

Recommendations

Based on all the information gathered for this petition request, I believe the project should proceed. It is my opinion that the benefits of the proposed petition exceed the estimated maintenance costs and would be conducive to the public welfare.

Should the Board of Commissioners choose to move forward with this project and affirm the order to proceed, I would request a separate resolution that the Liberty Lakes Sections 1 & 2 subdivision be accepted into the Delaware County Drainage Maintenance District and that the schedule of assessments be approved and confirmed as submitted. I would also request that the parcel list be certified to the Delaware County Auditor for special assessments for the Liberty Lakes Sections 1 & 2 as part of the Delaware County Drainage Maintenance District subdivision to begin in January 2027.

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.

Prepared by,

Approved by,



Bret Bacon
Bret Bacon
Deputy Administrator
Delaware Soil and Water
Conservation District



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