

**Frequently Asked Questions (FAQ) Sheet
Olive Green/Condit
Drainage Improvement Petition**

1. Am I being assessed at this time?

No. Please continue reading for more information.

2. Why is there a petition for this project?

Drainage infrastructure within Ohio is the responsibility of private landowners. The drainage petition process, authorized by Sections 6131 of the Ohio Revised Code, allows landowners to request a Board of County Commissioners to construct and maintain drainage improvements on private property. In the absence of a drainage petition project, the construction and maintenance of drainage infrastructure remain the responsibility of private landowners.

3. How are drainage petition projects paid for?

The costs are covered by special assessments to the properties that are within the watershed, or benefit area, of the project. Petition projects are entirely landowner-driven and landowner-funded. Public entities that own rights-of-way, schools, utilities, churches, etc. that own land within the watershed are also treated as landowners and assessed. The petition process then allows a Board of Commissioners to expend these funds to construct and maintain the improvements.

4. Why isn't the County paying for this?

Counties and other units of local government are prohibited by the State of Ohio to expend funds on projects to improve drainage on private properties. The County and other units of local government are also not permitted right of access to private properties for the purpose of constructing a project. Ohio Revised Code Sec. 6131 is the only mechanism that permits both expenditure of funds and right of access to the County for a drainage improvement project on private properties.

5. What is the purpose of the View?

The View is an opportunity for the Delaware County Commissioners to see the condition of the existing drainage infrastructure in the area, and to allow the public to point out specific areas of concern. The View will be conducted by showing a drone video of the potential project. There is no testimony allowed to be taken at the View.

6. How is the scope of the project determined?

The scope of any petition project is based on the actual petition request received. Signing or amending a petition is a landowner's opportunity to specifically request that a portion of the improvement be designed to their property.

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7. How do I sign the petition after it has been filed?

Once a petition is filed, any addition to the petition including additional signatures is considered an amendment to the petition. Fill out the form included with this mailing and submit it to the Delaware County Commissioners' office within 21 days following the date of the View. Amendment requests submitted after this period cannot be considered and will not be part of the scope of the project.

8. What is the purpose of the 1st Hearing?

The Delaware County Engineer and Delaware Soil & Water Conservation District jointly prepare a 1st Hearing report which includes a description of the existing conditions, a preliminary cost estimate, and comments on the feasibility of the project. After hearing the report, the Commissioners will take testimony from the benefiting landowners. The Board may then find in favor of the petition if they believe the improvement is necessary, conducive to the public welfare, and are reasonably certain the benefits of the project will exceed the costs. Individual property assessments are not calculated for the 1st Hearing.

9. I do not live directly adjacent to the improvement being proposed. Why am I considered a benefiting landowner?

The Ohio Revised Code (state law) considers all landowners within the watershed, or drainage area, of a project as *benefitting* from the improvement. Essentially the law equates benefit to use. If you are receiving the mailing, a property owned by you is located within the watershed for the Olive Green/Condit drainage system and utilizes the drainage capacity provided by the system.

10. What happens after the 1st Hearing?

If the Board of Commissioners approve the petition, the project moves to a survey and design phase. During this time, the Delaware Soil & Water Conservation District and Delaware County Engineer will gather field survey data, develop detailed engineering plans and cost estimates, prepare a final report, and formulate the schedule of estimated assessments. This information, once complete, is returned to the County Commissioners who will then schedule a Final Hearing to further consider the project based on this more detailed information.

11. What work is anticipated to be performed if the petition is improved?

Work may include but not necessarily be limited to the following: replacement of existing subsurface drain pipe, surface grade and open channel reconstruction, placement of erosion control measures, and placement of permanent easements for maintenance.

12. When will I know how much my cost will be?

Detailed cost information is included in the notification letters sent for the Final Hearing.

13. How can I find more information?

Please visit the Soil & Water Conservation District's website, <https://soilandwater.co.delaware.oh.us/drainage-petition-projects/>, or call their office at 740-368-1921 and ask to speak to someone regarding the Olive Green/Condit drainage petition project.