

# SHORT DITCH 2025 FIRST HEARING

November 18, 2025, 11:00 AM

Logan County Commissioners

Joe Antram

Michael Yoder

Greg Fitzpatrick

Logan County Engineer

Scott Coleman, P.E., P.S.

# Petition Procedure

BULLETIN 842  
AS WRITTEN BY BYRON NOLTE -  
OSU COOPERATIVE EXTENSION SERVICE (1981)  
AND UPDATED BY THE CEO DRAINAGE AND ENVIRONMENTAL COMMITTEE (2024)

1. A petition is filed by an owner or a public body.
2. The proposed improvement is viewed by the board of county commissioners, the county engineer, and other interested parties.
3. The first hearing is held, and the county engineer files his or her preliminary reports, including a statement of his or her opinion as to whether benefits from the project are likely to exceed the estimated cost.
4. The county engineer makes surveys, plans and specifications for the improvements; prepares a schedule of assessments of benefits and damages; and files this information with the clerk of the board of county commissioners.
5. The final hearing is held. Any exceptions to the county engineer's schedules of benefits and damages must be filed on or before the date of the final hearing. The board hears evidence, amends, corrects, and approves assessments, and orders the engineer to let the contracts for construction.
6. The county engineer receives bids at the time fixed, if no appeal has been taken to the court of common pleas.
7. Upon completion of the contracts, the assessments are adjusted pro rata from the estimated to the final cost. This assessment, plus the maintenance cost for one year, is levied upon each parcel of land as stated in the schedules.
8. The improvement is maintained by the county with funds obtained by annual assessment upon the benefited owners.

# Short Ditch 2025 Background

- ▶ Early April '25: Mr. Daryl Gebby visits the Logan County Engineer's Office (LCEO) to discuss flooding on his property and roadway flooding near the intersection of County Road 11 and Township Road 204.
- ▶ May 27, '25: Per Mr. Gebby's request and ORC 6131.04, the LCEO prepared petition documents for Mr. Gebby and met at his residence to discuss the drainage issues and deliver the petition documents. LCEO provided him with a for-informational-purposes-only cost estimate based on the linear feet of the proposed project and an assessment schedule based upon the acres each landowner owned within the watershed.
- ▶ October 13, '25: Viewing of petitioned project
- ▶ November 18, '25: First hearing

# ORC 6131.101 – First hearing

(A) At the first hearing on a petition for a proposed improvement, the board of county commissioners shall do both of the following:

(1) Hear the preliminary report of the county engineer required under section 6131.09 of the Revised Code;

(2) Hear any evidence offered by any owner for or against the granting of the proposed improvement or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition or in any amendment.

(B) If necessary, the board of county commissioners may recess and continue the hearing on subsequent days as may be reasonable to consider additional information about the proposed improvement or so that all interested owners may have an opportunity to comment on the proposed improvement.

(C) At the conclusion of the first hearing, the board shall vote to determine whether to proceed with the project survey and design or to dismiss the petition, taking into consideration the petition, the preliminary report, and comments on the proposed improvement.

# 1890 Ditch Project – 1956 Aerial



# Water Responsibility

“The responsibility for the maintenance and improvement of drains, ditches and watercourses, whether established county ditches or not, rests entirely upon the land owners affected and benefited. It is not the obligation of the County Engineer to maintain or improve the storm drainage facilities across any individual's property for either agricultural purposes or development of suburban home sites. When an individual purchases property, the principle of "Caveat Emptor", or "let the buyer beware," is the purchaser's best guideline. Land ownership has many potential and real benefits, but also comes with certain liabilities. Storm drainage facilities fall under the liability category of property ownership. These storm drainage facilities cannot be closed, obstructed or altered in any way which would reduce the capacity for conveying storm water across private property. Any owner is liable for upstream property damage for failure to properly maintain storm drainage facilities across his own property.” - ‘RESPONSIBILITY and PROCEDURE for IMPROVEMENT and MAINTENANCE of DRAINS, DITCHES and WATERCOURSES’, Shelby Soil and Water Conservation District



# Proposals & Estimates

In addition to evaluating the as-petitioned ditch improvement, we evaluated an alternative proposal that generally runs along the right-of-way east of Township Road (TR) 204 from County Road (CR) 11 to Blue Jacket Creek. For both options, we're recommending a buried tile system that can handle five-year storm demands.

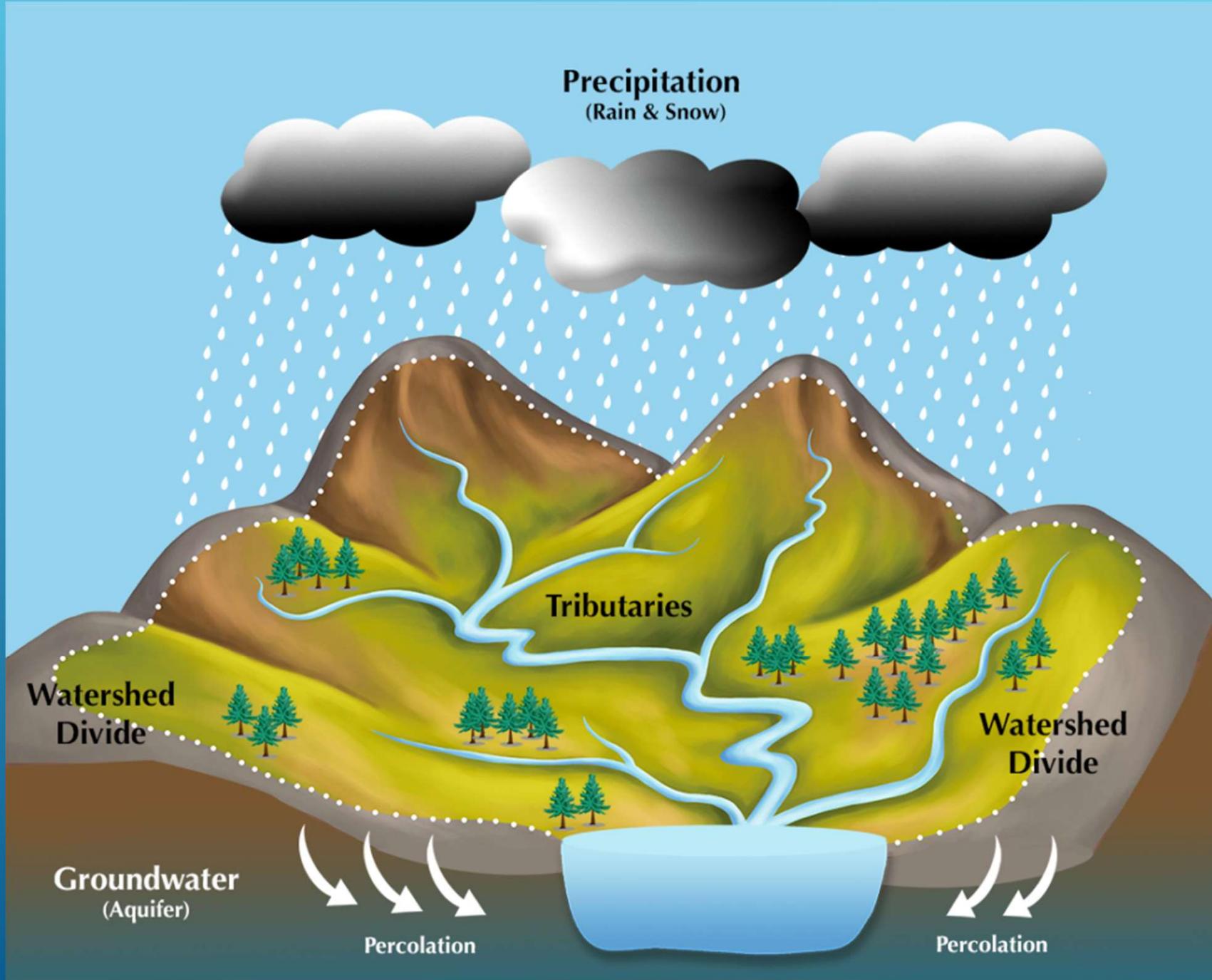
<b>As-Petitioned Construction</b>	<b>\$137,974</b>
<b>Engineering, Surveying and Inspection</b>	<b>\$6,500</b>
<b>Administration</b>	<b>\$1,000</b>
<b>Estimated Cost: As-Petitioned Total</b>	<b>\$ 145,474</b>

<b>Alternate Proposal Construction</b>	<b>\$99,754</b>
<b>Engineering, Surveying and Inspection</b>	<b>\$6,500</b>
<b>Administration</b>	<b>\$1,000</b>
<b>Estimated Cost – Alt. Proposal Total</b>	<b>\$ 107,254</b>

# As-Petitioned Layout



# How am I in this watershed?





# Cost Estimate: As petitioned

ITEM	QUAN	UNIT	DESCRIPTION	EST. COST	TOTAL
201	1	LUMP	Clearing & grubbing	\$ 30,000.00	\$ 30,000.00
202	1	LUMP	Removal of misc. existing structures and obstructions	\$ 2,000.00	\$ 2,000.00
209	1100	FT	Linear Grading	\$ 3.75	\$ 4,125.00
304	4	TON	Aggregate Fill (driveway; direct assessment landowner)	\$ 100.00	\$ 400.00
441	1	TON	Asphalt Concrete Surface Course (driveway; direct assessment to landowner)	\$ 1,000.00	\$ 1,000.00
601	15	TON	Rock Channel Protection	\$ 47.25	\$ 708.75
611	160	FT	4" Polyethylene corrugated double wall pipe	\$ 6.18	\$ 988.80
611	1260	FT	18" Polyethylene corrugated double wall pipe	\$ 33.70	\$ 42,462.00
611	540	FT	24" Polyethylene corrugated double wall pipe	\$ 54.40	\$ 29,376.00
611	2	EA	Catch Basin	\$ 2,570.00	\$ 5,140.00
611	2	EA	Hickenbottom	\$ 290.00	\$ 580.00
670	800	SY	Seeding & Erosion Protection	\$ 3.00	\$ 2,400.00
SPEC	1	LUMP	Miscellaneous tile connections (including tees, couplers, etc)	\$ 3,000.00	\$ 3,000.00
SPEC	1	LUMP	Temporary sediment and erosion control (drop inlet protection)	\$ 500.00	\$ 500.00
SPEC	1	LUMP	Existing ditch cleanout	\$ 2,000.00	\$ 2,000.00
SPEC	1	EA	Saw cut existing driveway (direct assessment to landowner)	\$ 750.00	\$ 750.00
				<b>CONSTRUCTION SUBTOTAL:</b>	\$ 125,431
				Construction contingencies (10%)	\$ 12,543
				<b>TOTAL CONSTRUCTION:</b>	<b>\$ 137,974</b>
				Engineering and Surveying	\$ 5,250
				Inspection	\$ 1,250
				Administration	\$ 1,000
				<b>ENGINEERING SUBTOTAL:</b>	<b>\$ 7,500</b>
				<b>CONSTRUCTION, ENGINEERING, INSPECTION, &amp; ADMINISTRATION GRAND TOTAL:</b>	<b>\$ 145,474</b>



# Alternate Proposal Watershed

- ▶ **44.05 acres**
- ▶ **30 parcels**



# Cost Estimate: Alternate Proposal

ITEM	QUAN	UNIT	DESCRIPTION	EST. COST	TOTAL
201	1	LUMP	Clearing & grubbing	\$ 5,000.00	\$ 5,000.00
202	1	LUMP	Removal of misc. existing structures and obstructions	\$ 2,000.00	\$ 2,000.00
209	475	FT	Linear Grading	\$ 3.75	\$ 1,781.25
304	20	TON	Aggregate Fill (driveways; direct assessments to landowners)	\$ 100.00	\$ 2,000.00
404	2	TON	Asphalt Concrete Surface Course (driveways; direct assessments to landowners)	\$ 1,200.00	\$ 2,400.00
511	1	CY	Structural concrete, QC2 - Driveway (direct assessment to landowner)	\$ 750.00	\$ 750.00
601	15	TON	Rock Channel Protection	\$ 47.25	\$ 708.75
611	1050	FT	18" Polyethylene corrugated double wall pipe	\$ 33.70	\$ 35,385.00
611	475	FT	24" Polyethylene corrugated double wall pipe	\$ 54.40	\$ 25,840.00
611	2	EA	Catch Basin	\$ 2,570.00	\$ 5,140.00
611	2	EA	Hickenbottom	\$ 290.00	\$ 580.00
670	700	SY	Seeding & Erosion Protection	\$ 3.00	\$ 2,100.00
SPEC	1	LUMP	Miscellaneous tile connections (including tees, couplers, etc)	\$ 3,000.00	\$ 3,000.00
SPEC	1	LUMP	Temporary sediment and erosion control (drop inlet protection)	\$ 500.00	\$ 500.00
SPEC	1	LUMP	Existing ditch cleanout	\$ 2,000.00	\$ 2,000.00
SPEC	3	EA	Saw cut existing driveways: 2 asphalt, 1 concrete (direct assessments to landowners)	\$ 500.00	\$ 1,500.00
				<b>CONSTRUCTION SUBTOTAL:</b>	\$ 90,685
				Construction contingencies (10%)	\$ 9,069
				<b>TOTAL CONSTRUCTION:</b>	<b>\$ 99,754</b>
				Engineering and Surveying	\$ 5,250
				Inspection	\$ 1,250
				Administration	\$ 1,000
				<b>ENGINEERING SUBTOTAL:</b>	<b>\$ 7,500</b>
				<b>CONSTRUCTION, ENGINEERING, INSPECTION, &amp; ADMINISTRATION GRAND TOTAL:</b>	<b>\$ 107,254</b>

# Feasibility

From a construction and long-term maintenance standpoint, the alternative proposal is a more feasible project. Construction-wise, not needing to remove a line of trees along the as-petitioned route saves a substantial amount of money.

Future ditch inspections and future ditch maintenance would be aided by the proximity of the proposed ditch to TR 204.



# Favorable & Unfavorable Factors

## Favorable

- Decrease frequency of flooding of properties and roadway
- Increase residential property values that have severe standing water issues during heavy rain events
- Increase agricultural production

## Unfavorable

- Financial burden on landowners who didn't file the petition
- 

# What are benefits?

““Benefit” or “benefits” means advantages to land and owners, to public corporations as entities, and to the state of Ohio, resulting from drainage, conservation, control and management of water and environmental, wildlife, and recreational improvements.

Factors relevant to whether such advantages result include: The watershed or entire land drained or affected by the improvement. The total volume of water draining into or through the improvement, and the amount of water contributed by each landowner. The use to be made of the improvement by any owner, public corporation, or the state of Ohio. Also, benefits include any or all of the following factors: Elimination or reduction of damage from flood. Removal of water conditions that jeopardize public health, safety or welfare. Increased value of land resulting from the improvement.”

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# Financial Benefits - Agricultural

Using October 2025 cash prices and bushel yield data from Ohio Ag Net for Logan County, we calculated that an agricultural field composed of 50% corn and 50% soybeans would have an income of approximately \$802/acre and have costs of approximately \$402/acre and therefore profit approximately \$400/acre. With an 18.5% yield increase, the estimated income would be \$950/acre and there'd be a \$148/acre increase in profit.

- ▶ Acres of farmland in the as-petitioned project watershed: 27.45
- ▶ Year 1 total profit increase:  $27.45 \text{ ac} * \$148/\text{ac} = \$4,062$
- ▶ Approximate farmland cost to do project =  $(27.45/53.3) * (\$145,474 - \text{Direct Assessments of } \$51,525) = \$48,385$
- ▶ Cost per acre =  $\$48,385 \div 27.45 = \$1,763/\text{ac}$
- ▶ Benefit/Cost =  $\$148/\text{ac} \div \$1,763/\text{ac} = 0.08$
- ▶ Years until farmland profits outweigh the costs:  $\$48,385/\$4,062 = 12$

# Financial Benefits – Agricultural

- ▶ Acres of farmland in the alternate proposal watershed: 18.95
- ▶ Year 1 total profit increase:  $18.95 \text{ ac} * \$148/\text{ac} = \$2,805$
- ▶ Approximate farmland cost to do ditch project =  $(18.95/44.05) * (\$107,254 - \text{Direct Assessments of } \$56,025) = \$22,039$
- ▶ Cost per acre =  $\$22,039 \div 18.95 = \$1,163/\text{ac}$
- ▶ Benefit/Cost =  $\$148/\text{ac} \div \$1,163/\text{ac} = 0.13$
- ▶ Years until farmland profits outweigh the costs:  $\$22,039/\$2,805 = 8$

<b>Estimated Agricultural Benefits: As-Petitioned (first year after improvements)</b>	<b>\$ 4,062</b>
<b>Estimated Agricultural Benefits (10 years after improvements)</b>	<b>\$ 40,620</b>
<b>Estimated Agricultural Benefits (20 years after improvements)</b>	<b>\$ 81,240</b>

<b>Estimated Agricultural Benefits: Alternate (first year after improvements)</b>	<b>\$ 2,805</b>
<b>Estimated Agricultural Benefits (10 years after improvements)</b>	<b>\$ 28,050</b>
<b>Estimated Agricultural Benefits (20 years after improvements)</b>	<b>\$ 56,100</b>

# Financial Benefits - Residential

A 2024 Preliminary Ditch Report in Defiance County estimated home values decrease by up to 30% if a residential property has severe standing water issues during heavy rain events. Per the contours and aerial imagery, there appears to be two residential properties within the watershed that would experience high water issues near residential structures. These properties would seemingly receive a direct financial benefit from this improvement and these residential financial benefits are estimated in this table:

<b>Parcel number</b>	<b>Owner</b>	<b>County Auditor Appraisal Amount</b>	<b>Estimated percent decrease in property value</b>	<b>Financial Benefit</b>
<b>08-090-00-00-046-005</b>	GEBBY DARYL	\$234,100	15%	\$35,115
<b>08-090-00-00-046-003</b>	LAMBERT LAWRENCE	\$204,680	3%	\$6,140

# Financial Benefits – Residential

Total financial benefit for these owners is \$41,255.

<b>Estimated Residential Benefits (1 year after improvements)</b>	<b>\$ 41,255</b>
<b>Estimated Residential Benefits (10 years after improvements; assuming 4% rise in housing prices for next 10 years)</b>	<b>\$ 61,068</b>
<b>Estimated Residential Benefits (20 years after improvements; assuming 4% rise in housing prices for next 20 years)</b>	<b>\$ 90,395</b>

# Financial Benefits – Road Users

The Ohio Department of Transportation's 'Road User Cost' spreadsheet was used to calculate the financial benefit to road users if the proposed project reduced the flooding of CR 11 between TR 204 and CR 32 by one day a year and this cost was \$406.

Even with the proposed drainage project, the roadway will likely experience flooding during major rain events.

<b>Estimated CR 11 Road User Benefits (1 year after improvements)</b>	<b>\$ 406</b>
<b>Estimated CR 11 Road User Benefits (10 years after improvements; assuming every year the proposed project reduces the length of a CR 11 closure by 1 day)</b>	<b>\$ 4,060</b>
<b>Estimated CR 11 Road User Benefits (20 years after improvements)</b>	<b>\$ 8,120</b>

# Assessments

The final assessment schedule that would be presented at the final hearing will be modeled after a procedure first developed by the Preble County Soil and Water Conservation District in 1981. This procedure takes into consideration the following four physical features of a watershed: benefitted acres, land use, soils, and topography.

Direct assessments will also be levied for any work which directly benefits “that particular parcel only and not the remainder of parcels in the watershed” (ORC 6131.15).

A decorative graphic consisting of several parallel white lines of varying lengths and orientations, located in the bottom right corner of the slide.

# Direct Assessments

- ▶ In order to best levy assessments based on estimated benefits, our office recommends that the schedule of assessments include a direct assessment to any residential landowner who is determined to be receiving a direct financial benefit to their property. As of now, these direct assessments would be levied to those two parcels shown in the residential financial benefits table.
- ▶ Per ORC 6131.22, “an assessment found to benefit county roads or highways shall be assessed against the county payable from motor vehicle revenues” and thus we’d recommend the \$8,120 roadway benefit be directly assessed and paid from motor vehicle revenues.
- ▶ Direct assessments would also be levied to properties where the proposed tile crosses a driveway in order pay for the costs associated with replacing any driveway section that is removed to install the tile.

# Schedule of Landowners: As-Petitioned

Parcel #	Owner	Total Acres	Benefitted Acres	Estimated Cost considering benefitted acreage only & deducting direct assessment total from total cost	Estimated Direct Assessment - Driveway	Estimated Direct Assessment - Residential	Estimated Direct Assessment - Highway	Estimated Total Cost
08-090-00-00-045-000	ROBISON LARIN J ETAL	2.000	1.903	\$4,060				\$4,060
08-090-00-00-046-002	PETTY ALISSA D	1.076	0.976	\$2,081				\$2,081
08-090-00-00-046-000	BELZYT JEREMY	1.440	1.305	\$2,783				\$2,783
08-090-00-00-046-004	FERGUSON WILLIAM D ETUX	1.155	1.056	\$2,252				\$2,252
08-090-00-00-046-003	LAMBERT LAWRENCE D ETUX	1.036	0.935	\$1,994		\$6,140		\$8,134
08-105-00-00-007-003	DOWNING DAVID A ETUX & TONI A	33.549	5.487	\$11,703				\$11,703
08-105-00-00-007-000	MATTHEWS THELMA JOY DOWNING	4.860	1.241	\$2,647				\$2,647
08-090-00-00-046-005	GEBBY DARYL L	1.040	0.825	\$1,760	\$2,150	\$35,115		\$39,025
08-090-00-00-046-001	JORDAN LARRY GENE ETUX	1.117	1.016	\$2,168				\$2,168
08-090-00-00-042-000	ARLEDGE MICHAEL E	3.530	0.536	\$1,143				\$1,143
08-090-00-00-028-000	LCG COMMERCE LLC	62.391	6.738	\$14,372				\$14,372
08-090-00-00-031-000	GIBBS DANIEL J ETUX	0.960	0.880	\$1,877				\$1,877
08-090-00-00-057-000	COSTELLO KELLY	2.439	1.514	\$3,229				\$3,229
08-090-00-00-043-000	DUNLAVY MICHAEL J ETAL & JUANITTA D PERDUE	1.050	0.741	\$1,582				\$1,582
08-090-00-00-033-000	SOUTHARD DONALD D	0.960	0.196	\$419				\$419
08-090-00-00-055-000	PETROSCHEK STEPHEN ETAL	1.290	1.010	\$2,155				\$2,155
08-090-00-00-054-000	FOWLER DEVIN RAY ETAL & CORTNEY L COMPTON	0.690	0.604	\$1,288				\$1,288
08-090-00-00-041-000	OVERHOLSER DAVID L ETUX	0.840	0.134	\$285				\$285
08-090-00-00-027-000	DOLPH CHARLES D TRUSTEE	72.010	5.716	\$12,191				\$12,191
08-090-00-00-030-000	SECURITY NATIONAL BANK & TRUST CO.	0.960	0.880	\$1,878				\$1,878
08-090-00-00-026-000	JONES FAITH A ETVIR	2.000	0.492	\$1,049				\$1,049
08-090-00-00-053-000	STAKEY WAYNE A LE ETUX & MARCIA T & MARC W	1.150	0.841	\$1,794				\$1,794
08-090-00-00-044-000	DUNN BRANT R ETAL	3.950	3.868	\$8,250				\$8,250
08-090-00-00-032-000	JACOBS MELISSA J ETUX & JACOB R	0.960	0.819	\$1,748				\$1,748
08-090-00-00-056-000	KNIGHT JASON	0.750	0.687	\$1,465				\$1,465
08-090-00-00-029-000	KENNEDY TIFFANY	0.960	0.861	\$1,837				\$1,837
08-090-00-00-052-000	DAVIDSON JOSEPH L ETAL	0.230	0.022	\$46				\$46
08-090-00-00-047-001	PICKERING MILES K ETUX & KRISTA L	12.707	0.076	\$161				\$161
TR 204	Harrison Township Trustees	-	1.072	\$2,286				\$2,286
CR 11	Logan County Commissioners	-	1.617	\$3,449				\$3,449
CR 11	Logan County Commissioners (paid from motor vehicle revenues)	-	0.000	\$0			\$8,120	\$8,120
	<b>Total</b>		<b>44.048</b>	<b>\$93,949</b>	<b>\$2,150</b>	<b>\$41,255</b>	<b>\$8,120</b>	<b>\$145,474</b>

# Schedule of Landowners – Alt. Proposal

Parcel #	Owner	Total Acres	Benefitted Acres	Estimated Cost considering benefitted acreage only & deducting direct assessment total from total cost	Estimated Direct Assessment - Driveway	Estimated Direct Assessment - Residential	Estimated Direct Assessment - Highway	Estimated Total Cost
08-090-00-00-045-000	ROBISON LARIN J ETAL	2.000	1.903	\$2,214				\$2,214
08-090-00-00-046-002	PETTY ALISSA D	1.076	0.976	\$1,135	\$400			\$1,535
08-090-00-00-046-000	BELZYT JEREMY	1.440	1.305	\$1,518	\$400			\$1,918
08-090-00-00-046-004	FERGUSON WILLIAM D ETUX	1.155	1.056	\$1,228	\$1,650			\$2,878
08-090-00-00-046-003	LAMBERT LAWRENCE D ETUX	1.036	0.935	\$1,088	\$2,100	\$6,140		\$9,328
08-105-00-00-007-003	DOWNING DAVID A ETUX & TONI A	33.549	5.487	\$6,381				\$6,381
08-105-00-00-007-000	MATTHEWS THELMA JOY DOWNING	4.860	1.241	\$1,443				\$1,443
08-090-00-00-046-005	GEBBY DARYL L	1.040	0.825	\$960		\$35,115		\$36,075
08-090-00-00-046-001	JORDAN LARRY GENE ETUX	1.117	1.016	\$1,182	\$2,100			\$3,282
08-090-00-00-042-000	ARLEDGE MICHAEL E	3.530	0.536	\$623				\$623
08-090-00-00-028-000	LCG COMMERCE LLC	62.391	6.738	\$7,837				\$7,837
08-090-00-00-031-000	GIBBS DANIEL J ETUX	0.960	0.880	\$1,023				\$1,023
08-090-00-00-057-000	COSTELLO KELLY	2.439	1.514	\$1,761				\$1,761
08-090-00-00-043-000	DUNLAVY MICHAEL J ETAL & JUANITTA D PERDUE	1.050	0.741	\$862				\$862
08-090-00-00-033-000	SOUTHARD DONALD D	0.960	0.196	\$228				\$228
08-090-00-00-055-000	PETROSCHEK STEPHEN ETAL	1.290	1.010	\$1,175				\$1,175
08-090-00-00-054-000	FOWLER DEVIN RAY ETAL & CORTNEY L COMPTON	0.690	0.604	\$702				\$702
08-090-00-00-041-000	OVERHOLSER DAVID L ETUX	0.840	0.134	\$156				\$156
08-090-00-00-027-000	DOLPH CHARLES D TRUSTEE	72.010	5.716	\$6,648				\$6,648
08-090-00-00-030-000	SECURITY NATIONAL BANK & TRUST CO.	0.960	0.880	\$1,024				\$1,024
08-090-00-00-026-000	JONES FAITH A ETVIR	2.000	0.492	\$572				\$572
08-090-00-00-053-000	STAKEY WAYNE A LE ETUX & MARCIA T & MARC W	1.150	0.841	\$978				\$978
08-090-00-00-044-000	DUNN BRANT R ETAL	3.950	3.868	\$4,499				\$4,499
08-090-00-00-032-000	JACOBS MELISSA J ETUX & JACOB R	0.960	0.819	\$953				\$953
08-090-00-00-056-000	KNIGHT JASON	0.750	0.687	\$799				\$799
08-090-00-00-029-000	KENNEDY TIFFANY	0.960	0.861	\$1,002				\$1,002
08-090-00-00-052-000	DAVIDSON JOSEPH L ETAL	0.230	0.022	\$25				\$25
08-090-00-00-047-001	PICKERING MILES K ETUX & KRISTA L	12.707	0.076	\$88				\$88
TR 204	Harrison Township Trustees	-	1.072	\$1,246				\$1,246
CR 11	Logan County Commissioners	-	1.617	\$1,881				\$1,881
CR 11	Logan County Commissioners (paid from motor vehicle revenues)	-	0.000	\$0			\$8,120	\$8,120
		<b>Total</b>	<b>44.048</b>	<b>\$51,229</b>	<b>\$6,650</b>	<b>\$41,255</b>	<b>\$8,120</b>	<b>\$107,254</b>

# Opinion of the Engineer

The development of the six residential lots bordering the east side of TR 204 just south of the TR 204/CR 11 intersection from 1988 to 1989 was done without adequate consideration for storm water drainage needs and without adequate consideration for protecting and/or improving the drainage system that was installed in 1890. This has led to drainage problems for multiple lots within the watershed and has likely led to an increased frequency of roadway flooding.

Developments to lot number 08-090-00-00-046-005 (owner Daryl Gebby) since Mr. Gebby purchased the property in 2016 include building a new barn in 2021 and enclosing the TR 204 roadside ditch with two unpermitted driveways (which will be addressed outside of this ditch petition process). These recent developments have seemingly exacerbated the storm water problems for lot number 08-090-00-00-046-005.

# Opinion of the Engineer cont.

We're proposing the buried tile system be designed to carry five-year storm demands, which is what our subdivision regulations require for new subdivisions.

Financially, the short term estimated costs are greater than the estimated benefits but the long-term estimated benefits are greater than the estimated costs.

If the Commissioners vote to proceed with this project, my opinion is that the final schedule of landowners should include the direct assessments detailed earlier in this report.

It is my opinion that the completion of the project would reduce flooding issues for the most common storm events and provide a sufficient outlet for all of the landowners within the watershed. I believe the alternate proposal is the most feasible route to accomplish the purpose of the improvement and that this project would be conducive to the public welfare.



# What happens next?

- Commissioners may recess and continue the hearing on subsequent days as may be reasonable to consider additional information about the proposed improvement or so that all interested owners may have an opportunity to comment on the proposed improvement.
- Commissioners will decide to dismiss or move forward with the petition
- If the project moves forward, the Engineer will develop plans, specifications, survey, estimates, and assessment schedules and submit a report to the Commissioners
- Final hearing is scheduled after the Engineer's report is filed with the Commissioners
- Property owners will be notified of the final hearing along with their estimated assessment
- At the final hearing, the Commissioners will decide to dismiss or approve of the petition

# Appeals

- If the petition is not granted, it will be dismissed. Any owner who is affected by the dismissal may appeal to the court of common pleas of the county in which the petition is filed. If no appeal is filed within 21 days, the petitioner must pay all the costs incurred in such proceedings, and the bond will be released (ORC 6131.11)

## Section 6131.25 | Appeals.

Ohio Revised Code / Title 61 Water Supply-Sanitation-Ditches / Chapter 6131 Single County Drainage Improvements

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*Effective:* March 24, 2021    *Latest Legislation:* House Bill 340 - 133rd General Assembly    *PDF:* [Download Authenticated PDF](#)

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(A) Any affected owner may appeal to the court of common pleas within thirty days of the date that any order was issued by the board of county commissioners under this chapter, and may appeal any one or more of the following questions:

- (1) Is the improvement necessary?
- (2) Will the improvement be conducive to the public welfare?
- (3) Is the cost of the improvement greater than the benefits conferred?
- (4) Is the route, termini, or mode of construction the best to accomplish the purpose of the improvement?
- (5) Are the assessments levied according to benefits?
- (6) Is the award for compensation or damages just?

# Exceptions

- “An owner may file an exception to the county engineer's schedules of assessments or file a claim for damages or compensation with the clerk of the board of county commissioners not less than five days before the date of the final hearing in the proceedings to construct the improvement.”  
(ORC 6131.17)

# Questions and Open Discussion

- For more details on the ditch petition process, the 'Ditch Petition Procedure 2024' pamphlet is available on our homepage ([www.lceo.us](http://www.lceo.us)) under 'Additional Information'
- This presentation and the Engineer's Preliminary Report is on our website under the tabs Ditches > Ditch Improvements > Short Ditch
- The Logan County GIS site is an interactive web map with layers that can be turned on so that you can quickly see various information like proposed watersheds, soil types, contours, parcels information, etc. Click 'Map Layers' in the top right corner of the main page to view this information. This map can be accessed through the Logan County Auditor's website.