



## Ohio Revised Code

### Section 6131.14 County engineer's duties.

Effective: March 24, 2021

Legislation: House Bill 340 - 133rd General Assembly

---

(A) Upon the board's determination to proceed with the project survey and design on a proposed improvement under section 6131.12 of the Revised Code, the clerk of the board of county commissioners shall immediately forward a copy of the board's findings and orders to the county engineer.

(B) The county engineer shall do all of the following:

(1) Conduct all necessary surveys for the proposed improvement;

(2) Prepare plans for structures;

(3) Create maps showing the location of the land proposed to be assessed;

(4) Prepare construction drawings of the improvement;

(5) Prepare an estimate of the cost of the improvement, which shall include actual construction cost, the cost of engineering, the cost of the first year maintenance, and the cost of notices, publication, and other incidental expenses. If applicable, the engineer may recommend the maintenance district in which the improvement shall be placed. The assessment of the improvement for maintenance for one year shall be credited to the maintenance fund of the district.

(6) Prepare a schedule of damages that includes both of the following:

(a) An estimate of the value of land or other property necessary to be acquired through purchase or voluntary transfer or appropriated in accordance with section 163.01 to 163.62 of the Revised Code, and a description of that land or other property;

(b) An estimate of the total damages to be sustained by owners as a result of the construction and



subsequent maintenance of a proposed improvement, along with the name and address of each owner that is alleged to be damaged, the amount of each owner's estimated damages, and an explanation of each owner's injury.

(C) The county engineer shall make a plan of the work proposed to be done, which shall show the grade, the depth, the excavating to be done, the location of the permanent bench marks and their actual elevation based on the most recent United States geological survey data above or below the base elevation used, and such other data as in the judgment of the engineer will aid in retracing lines, levels, or other features of the improvement. The plan shall indicate the profile and the nature of the excavation.

(D)(1) The engineer shall transmit copies of the construction drawings to the director of natural resources, the director of transportation when a state highway is affected, and the board of directors of any conservancy district within which any part of the lands or streams affected by the proposed improvement may lie.

(2) The director of natural resources, the director of transportation, and the board of directors of the conservancy district shall review the plans submitted and within thirty days file with the county engineer a report indicating approval or, in case that approval cannot be given, a report with recommendations.

(3) The approval or report with recommendations, which, where appropriate, shall include recommendations regarding the use of best management practices that are consistent with the prayer of the petition, shall be transmitted by the engineer to the board of county commissioners, who shall take notice of the approval or recommendations and shall authorize the engineer to make any changes or alterations that in the judgment of the board are necessary or desirable.

(4) Upon receipt of approval of the plans by the director of natural resources, the director of transportation, and the board of directors of any conservancy districts affected, or upon completion of any changes authorized by the board of county commissioners, the engineer shall file the construction drawings with the clerk of the board of county commissioners.

(E) The engineer shall prepare specifications for the construction of the improvement that include all



of the following:

(1) The route of an improvement, which, as practicable as possible, shall be located to avoid running the improvement diagonally across property and to follow property lines, section lines, and lines of public highways. However, where the line of a public street or highway is followed, approval must be obtained from the governmental entity owning the street or highway.

(2) The width of the temporary easement for construction required for the improvement. The specifications shall require the temporary easement to include spreading and leveling of spoil banks and shall prohibit the temporary easement from being more than seventy-five feet from the top of the bank.

(3) The width of the permanent easement required for the improvement. The specifications shall provide for erosion and sediment control through the establishment of a sod or seeded strip not fewer than ten feet nor more than fifteen feet wide, measured at right angles to the top of the ditch bank, on both sides of the ditch, except where suitable vegetative cover exists. The strip or other such controls shall be considered a part of the permanent improvement.

(F) The county engineer shall provide to the county auditor the acreages of sod or seeded strips established under this section and the county auditor shall remove the entire amount of each sod or seeded strip from the taxable valuation of the property of which they are a part.

(G) The engineer shall make a note of all fences, floodgates, culverts, or bridges that will be removed in constructing the improvement and of all culverts or bridges that must be adjusted or the channel of which must be enlarged to construct the improvement.

(H) In estimating the cost of an improvement, the engineer may include the cost of installing gates in fences on the reserved right-of-way where needed to provide access for maintenance. The gates shall be kept locked when requested by the owner and shall be considered a part of the original improvement and subject to maintenance as provided by Chapter 6137. of the Revised Code.

(I) The engineer shall make an estimate of the cost of inspecting the work as it progresses and shall, with the assistance of the prosecuting attorney, prepare forms for contracts with bidders and forms of



bid guaranties that meet the requirements of section 153.54 of the Revised Code.

(J) Upon the acceptance of the contract work, the engineer shall file with the county recorder all of the following:

(1) A property plat showing the owners of record and parcel numbers along the drainage improvement;

(2) The location of the improvement;

(3) A statement describing the width of the permanent easement for maintenance as provided for in section 6137.12 of the Revised Code;

(4) An affidavit listing the owners of record, complete property descriptions, and parcel numbers subject to the permanent easement. The engineer shall note the property plat in the affidavit.

The engineer shall include the permanent easement in the county's geographic information systems or other mapping system, if available.

The engineer shall make an itemized bill of the costs and expenses incurred in the proper discharge of duties set forth in this section and shall file the maps, profiles, plans, schedules, and reports with the clerk of the board of county commissioners upon completing them.