

**ORDINANCE CONCERNING MAINTENANCE WORK
BY DELAWARE COUNTY SURVEYOR**

ORDINANCE NO. 2010- 031

DELAWARE COUNTY COMMISSIONERS

Effective Date: November 1, 2010

ORIGINAL

WHEREAS, the Board of Delaware County Commissioners appoints members of the Delaware County Drainage Board. Said Drainage Board has the responsibility to operate within Indiana Code. This is to include the proper spending of maintenance money and claims used to provide maintenance of regulated drains.

WHEREAS, each regulated drain in the county is under the jurisdiction of the Drainage Board (I.C. 36-9-27-15), and the County Surveyor may not be appointed to a Drainage Board, but serves by statute as a Technical Advisor to the Board.

WHEREAS, in accordance with I.C. 36-9-27-35, the Delaware County Surveyor must and shall submit to the Drainage Board the Surveyor's Annual Maintenance Report setting forth his classification of regulated drains and designating those areas in need of maintenance and priority of work so as to allow the Board to approve any maintenance work prior to said work being commenced. This is not to include emergency repairs or sink holes as to not interfere with farm crops. The receipt and approval of this maintenance plan is predicate to approval of any maintenance work or payment of claims for any maintenance work.

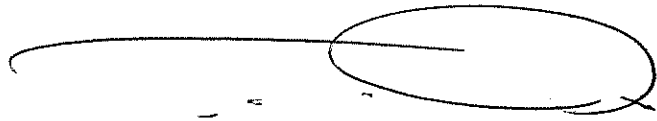
WHEREAS, the Drainage Board, in accordance with Indiana Code, requires to have all such maintenance work as set forth above passed by vote that three (3) quotes be submitted with work order so board may approve work to lowest bidder.

**IT IS THEREFORE ORDAINED BY THE DELAWARE COUNTY BOARD
OF COMMISSIONERS that:**

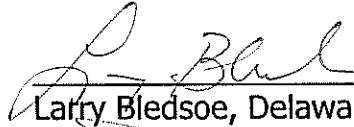
1. The Delaware County Drainage Board is to oversee the spending and approval of maintenance of regulated drains in Delaware County.
2. The Delaware County Surveyor shall submit to the Drainage Board it's Annual Maintenance Report designating those areas in need of maintenance and priority of work, with the exception of emergency repairs or sink holes interfering with the production of crops, prior to solicitation and receipt of three (3) quotes for any work order sought after.

3. Upon receipt of the Surveyor's Annual Maintenance Report, and presentation of a Work Order with award of the lowest quote, upon completion of any maintenance work then shall any maintenance claim be paid.

DATED this 1 day of November, 2010.



Todd Donati, Delaware County Commissioner

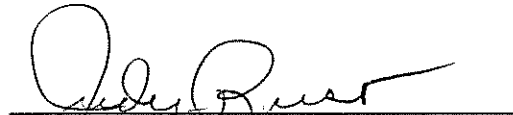


Larry Bledsoe, Delaware County Commissioner



Don Dunnuck, Delaware County Commissioner

ATTEST:



Auditor for Delaware County