

Commonwealth of Kentucky
Oldham County
Ordinance No. KOC 18-910-483

AN ORDINANCE RELATING TO REPEALING AND REPLACING ORDINANCE #06-360-462 TO PROVIDE GRANT ASSISTANCE FOR DRAINAGE REPAIRS TO PROPERTY FOR CERTAIN HOMEOWNERS WHOSE PROPERTY IS BEING HARMED BY STORMWATER RUNOFF

Whereas, the Fiscal Court has the authority pursuant to the provisions of KRS 67.083 (3) and other applicable laws to provide for the general welfare of its citizens; and

Whereas, certain homeowners experience continuing damage and threat to their property from over-the-ground flooding as a result of rainfall; and

Whereas, Oldham County Fiscal Court includes in its annual budget an amount dedicated to addressing flooding needs in the county;

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF OLDHAM,
COMMONWEALTH OF KENTUCKY:

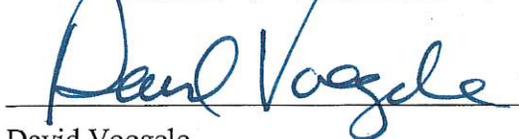
A matching grant program is established for certain residents of the County who meet the following qualifications, and with the following restrictions:

1. Financial assistance is in the form of a reimbursement grant to qualifying homeowners in an amount not to exceed 50% of the cost of construction or a maximum of \$7,000 per homeowner, whichever is less, and not more than the total current budgeted amount per year to all grant recipients.
2. The program is intended for owner-occupied single-family dwellings and duplexes.
3. Assistance is limited to flooding caused by the overland flow of storm water. There will be no assistance to flooding caused by backup through sanitary sewers or any other pipe system attached to the building. There will be no assistance to prevent flooding caused by the seepage of ground water into a residence, such as installation or replacement of a sump pump. Also, there will be no assistance if any portion of the property is located within the regulated floodplain of Oldham County.
4. Assistance is limited to actual approved physical changes to the dwelling or the surrounding property and the relocation of items such as air conditioners, heat pumps, etc. that may be damaged by flood waters. The installation, replacement, or rearrangement of sump pumps and ancillary devices is excluded from this program.
5. Improvements to the drainage for the homeowner must not harm adjoining property owners and where possible must improve it.

6. This program will be administered by the Oldham County Fiscal Court and the Oldham County Engineer's Office. The County Engineer's Office will review recommendations for improvements proposed by the property owner's contractor and calculate the amount of financial assistance to be received by the property owner, based on the estimated cost of the improvements and verify that the homeowner qualifies for the program.
7. The actual work to the property is based on estimated cost of the improvements and must be completed by third party contractors or laborers. The property owner is responsible for contacting them, obtaining bids, determining that the work is completed correctly, and making all payments to them. No improvements to properties under this program will be performed by the Oldham County government. The Oldham County Fiscal Court will not provide supervision or approval of work for either the property owner or the contractor. The property owner must obtain all necessary permits and make certain of compliance with all pertinent laws, codes, and regulations.
8. The Oldham County Fiscal Court will require releases of liability and assurance of payment from both the property owner and the owner's contractor. Blank forms for these releases will be supplied by Oldham County, but it is the responsibility of the property owner to acquire all signatures. If the forms are not properly completed, Oldham County Fiscal Court will not participate in the program.

This ordinance shall become effective upon its passage and advertisement according to law.

Dated this 6 day of Nov, 2018



David Voegele

Oldham County Judge/Executive

Attest:



Sheila Faehr

Oldham County Fiscal Court Clerk

Questionnaire for Drainage Abatement Assistance

Date _____

Name of Property Owner _____

Address of Property _____

Phone Number _____

Name of Subdivision (if applicable) _____

Years resided at Property _____

Has water ever gotten into the living space of your home? _____

If yes, date of occurrence. _____

How often does this occur? _____

What damage has happened or is occurring as the result of storm water runoff?

How often? _____

Do you have any supporting documentation to support this claim? (ie photos, video, insurance claims, current damage) _____

If yes, what kind of documentation? _____

Any further comments? _____

Signed _____ Date _____

Print Name _____

Signed

Date

Print Name

Choosing a Contractor for Your Drainage Abatement Project

One of the most difficult parts of any home improvement project is finding and choosing a contractor. Finding the correct individual or company will take some work on your part, but you will usually be rewarded by your effort. An appropriate contractor will save you time and money, and you will not suffer from much of the frustration that comes with home repairs. The following guidelines can help you make the selection, but only you can determine what is ultimately best for you and your home.

There are several ways to find the names of home improvement contractors. One of the best ways is by asking friends and relatives to recommend someone that has worked for them. This method lets you look at a completed job and judge the contractors competence.

Make a list of several contractors that you think could do the job. Then spend a few minutes on the phone with someone from each company. Give them short description of what you want done (having it written down would save time), and ask them if they are interested in bidding on your project.

The next step is to have the interested contractors look at your property and prepare a bid. You should plan to be present during each visit, and by this time you must have a clear idea of what work you want done. It is important that each contractor bid on the same work, so that bids can be compared. Contractors can also give you the benefit of their experience and make suggestions about how to accomplish your goals.

While you are meeting with the contractor at your home this is a good time to ask for references and a list of jobs they have done that are similar to yours. They should submit these lists with their bid. You should call some of these references and plan a visit to inspect the finished work. You should also contact the local Better Business Bureau at 259-1008; ask them for any information they may have about each contractor.

Here are some of the questions that you should ask the contractor during the meeting.

- What is their liability insurance limit?
- Do they have Workers Compensation insurance?
- Are there any unsettled claims against the company?
- How many employees will be assigned to your job?
- How long will the job last?
- Will subcontractors be hired?
- When will payment be due?
- What kind of warranty will you provide on the completed work?
- Make written notes during the meeting.

Each contractor should submit to you detailed written bid. Each object or feature that is to be constructed should be a separate bid item. This method is called line item bidding and is the best way to compare bids and provide you with protection from a partially completed job. Never accept a lump bid.

It may take as long as ten days for bids to be returned to you. If after a week you have not heard from a contractor, you should call and remind them that you have not received their bid.

Compare each bid item and the totals of the bids. You should be alert for individual bid items that seem to be extremely underpriced or overpriced. Such a situation might mean that the contractor does not fully understand what you are trying to accomplish. Call the contractor and ask about such items.

It is now time to review the bids and select a contractor. All the information that you have collected should be compiled to help you make your decision. The bids, the references, and your notes and observations are all important. Your goal should be to select the lowest bid of the most qualified contractor. If you have done the groundwork, final selection should be easy.

When you have made your selection, you should write the chosen contractor. Your letter should restate a description of the work to be done, the bid for each item, and you understand about insurance, warranties, and other important information. You should give the contractor a date when you will be ready for work to begin, and you should request a letter with their acceptance and their proposed starting date.

After you have completed all of the above you should contact the Oldham County Engineer's office and give us the name of your contractor and the approximate starting date.

Get the necessary building permits from Oldham County Building Inspections and the Engineer's Office. They are located at 100 West Jefferson Street.

When the work is complete, and you are satisfied with the job, you should pay the contractor and submit copies of all invoices and signed original release forms to the Oldham County Engineer.

Check List

- _____ Write description and make sketch of proposed improvements.
- _____ Make list of contractors to call.
- _____ Call contractors to determine their interest.
- _____ Meet with interested contractors at your home.
- _____ Review the contractor's references.
- _____ Organize all information and compare bids.
- _____ Accept the bid in writing.
- _____ Inform the Oldham County Engineer.
- _____ Get required permits.
- _____ Complete work pay contractor.
- _____ Submit all required information to the Oldham County Engineer.

Cooperative Drainage Abatement Program Property Owners Assurance of Payment

I (We) _____, owner (s) of the property at _____, have entered into a contractual/business relationship with _____

The purpose of that relationship was to provide labor and necessary materials to effect structural changes to my (our) property to reduce the hazard of flooding the overland flow of water.

That work is now complete. All bills for labor and materials presented to me (us) have been paid according to my (our) agreement with the contractor.

Signed **Date**

Signed **Date**

Print Name

Print Name

Notary Public

State of _____

County of _____

Subscribed and sworn before me on the _____ day of _____, 20____.

Notary Public in and for the State of _____

Commission expires _____

Property Owners` Request and Release

I (We) _____, Owner(s) of the property at _____, do hereby request cooperative financial assistance from Oldham County Fiscal Court for the purpose of making structural changes to my home at the stated address so that hazard from future flooding and/or property damage due to the overland flow of water may be reduced.

I (We) have received a copy of the Oldham County Storm Water Assistance Ordinance. I (We) have read and fully understand that the intent of this policy is to provide me (us) with financial assistance so that I (we) may make structural changes to my (our) home with the intent of reducing the hazard of home flooding from the overland flow of water.

I (We) agree to hold Oldham County and its employees and agents harmless for damage or reduction in value to my (our) property resulting from construction or changes to that property through my (our) participation in this program. I (We) understand that any statements made by these employees and agents are only advisory in nature. The final decision as to the amount, type, and extent of work to be completed on the subject property is mine (ours) alone. I (We) understand that there is no guarantee from Oldham County or its employees and agents that work or changes to the subject property will have any corrective effect in regard to any flooding hazard on that property.

I (We) understand that no workers, materials, equipment, or inspection shall be supplied by Oldham County. All contracts, workers, permits, materials, and miscellany shall be supplied by me (us) without obligation to Oldham County or its employees and agents. I (We) further understand that Oldham County shall have no supervisory capacity over any workers that I (We) have hired or contracted to make the desired changes to my (our) property.

I (We) agree to supply to the Oldham County Engineer correct copies of all bids, contracts, and billings that may apply to flood control work on the subject property.

I (We) agree to make complete payment to all contractors and workers, understanding that the Government has no responsibility for any payment to them.

I (We) understand that the total financial assistance given to us by Oldham County shall not be calculated and payment to us shall not be made until all construction work is completed on the subject property, and that the calculations shall be based upon workmanship, completeness of work, quality of materials, and the judged effectiveness of the work in reducing hazards of flooding. I (We) agree that the final decision as to the amount of payment to me (us) rests with the Oldham County Engineer.

Signed	Date	Signed	Date
Print Name	Date	Print Name	

Notary Public

State of _____
County of _____

Subscribed and sworn before me on the _____ day of _____, 20_____.

Notary Public in and for the State of _____
Commission expires _____

