

General Drainage Policy

Montgomery County Municipal Utility District No. 18

Adopted May 16, 2017

Purpose

1. To provide a standard procedure for addressing drainage issues (this policy appears on the MC MUD 18 (District) website).
2. To avoid or minimize future drainage problems.
3. To clarify jurisdiction/responsibility of the District, the Property Owners' Association (POA) and the Country Club (CC) on drainage issues.
4. To reduce time and expense in resolving future drainage issues.
5. To limit the District's actions to only those facilities and drainage issues that are the responsibility of the District.

Background

1. Whereas the original planning and engineering of drainage infrastructure in Bentwater has produced a quality, up-scale development, there are some inherent problems that must be dealt with.
2. The Architectural Control Committee (ACC) currently reviews applications for new home construction and modifications, and requires that the homeowner/contractor agree to the current Landscape & Drainage Requirements.
3. In Bentwater, there have been weaknesses in the homebuilding process relating to drainage and surface water runoff. Examples are: no follow-up inspection on slab elevation and site drainage; unclear understanding of jurisdiction/responsibility for drainage issues by the District, POA and Country Club; lack of complete records, ie., no drainage easement across Weiskopf No. 9 fairway).
4. As of May, 2017, the POA is updating and consolidating its rules/requirements for building and remodeling homes within Bentwater. The revised rules have been coordinated with this General Drainage Policy and the intention is that both organizations will move forward with a common approach to drainage issues.
5. There are approximately 600 vacant lots in Bentwater that will/could become home sites. Whereas all streets and storm sewers have been constructed to serve these lots, the storm water runoff from the lots will be greater and could be different from the current drainage patterns when the lots are built out.

6. The District has a 5-year Capital Improvement Plan (CIP). This General Drainage Policy is intended to help the Board and its consultants focus on priority drainage projects that are included in the CIP.
7. The District has a composite map which shows all District drainage facilities and all District drainage easements in detail. This map will be used for future reference to assist in decisions by the Board and its consultants, and it will be helpful in discussions with the POA and CC.

Catagories of Drainage Issues

In order to deal effectively with drainage issues, it is important to categorize them:

1. **Normal Lot Drainage**: With most of the remaining undeveloped lots, the slab elevation, landscaping and site drainage can be handled through the then-current permitting process of the POA/ACC.
2. **Known Drainage Issues** (District's responsibility): The board receives a recommendation from its Engineer on how to resolve the issue, determines whether it is a maintenance or CIP issue, then schedules the solution.
3. **Unknown (at this time) Drainage Issues**: The board determines who has jurisdiction for the issue (District, POA or Country Club). If it is the District, the board decides if the issue is a maintenance or CIP issue. The board receives a recommendation from its Engineer and schedules the solution.

Review Process

This process applies to "Known" and "Unknown" drainage issues, **not** "Normal Lot Drainage" issues.

1. If there is an outside requesting party, that party pays a deposit to the District to cover the engineering and legal costs to review the issue. The amount of the deposit will be determined by the board.
2. The board receives a recommendation from its engineer and attorney and the board authorizes an appropriate solution.
3. After determining that a drainage issue is the responsibility of the MUD, the following considerations will determine the priority for authorizing and scheduling the solution: (a) safety, (b) risk of property **loss by**

home/property owner, and (c) increased cost of repair if the repair work is delayed.

Coordination

1. Using the composite District drainage map, the District will meet with the POA and Country Club to establish an agreement on jurisdiction and responsibility for all drainage facilities and drainage ways in Bentwater. The District will continue to meet with the POA and the Country Club as needed to clarify future questions.
2. The District understands that, under the POA's revised permitting process, the POA does include a post-construction inspection step for all house slab and site drainage construction to insure conformance with responsible drainage.
3. The District will have a representative at all ACC meetings to coordinate on each new application for construction.