

267.420 Fees -- Costs -- Expenses -- Compensation of employees and viewers.

- (1) The fees of officers for services rendered under this chapter shall be the same as fees allowed by law for similar services in other cases. Such fees shall be taxed as part of the costs. The county judge/executive shall also include as costs reasonable fees to the attorneys for the petitioners in the proceeding to establish the improvement. All costs shall be paid on the order of the county judge/executive out of the drainage fund. The compensation allowed for services of the engineers, viewers and for all other labor, unless paid out of funds deposited by the petitioners, shall be paid on the order of the county judge/executive out of the drainage fund. If any part of such expense has been paid by the petitioners, or any deposit for that purpose has been made by them, it shall be refunded to them, without interest, out of the drainage fund. If the improvement is not established, all such costs and expenses shall be paid by the petitioners, and they shall be liable for the same on their bond.
- (2) If any person, including any engineer or viewer, who has performed labor in connection with the improvement up to the time of final reference to the board, desires payment of the amount due up to that time, he may so inform the county judge/executive, which shall thereupon notify the petitioners or their attorneys of record of such fact in writing, stating the amount required, and call upon the petitioners to deposit with the county treasurer an amount sufficient to pay the same. The petitioners shall then deposit that amount within thirty (30) days from the date of receiving the notice. If they fail to pay it within that time, the proceeding may be dismissed at the cost of the petitioners. The treasurer shall pay out the money so deposited with him upon order or warrant of the board, if then appointed, and if not, on order of the county judge/executive.
- (3) The compensation of the engineer on the board of viewers shall be fixed by the county judge/executive at or before the time of his appointment, by order entered of record. The other viewers shall receive four dollars (\$4) per day for the time actually engaged in performing their duties. Rodmen, chain carriers and other laborers employed in the work shall receive not exceeding two dollars (\$2) per day for their services. Any fees or compensation not provided for in this chapter shall be fixed by the county judge/executive unless the person providing the services is employed by the board, in which case the board shall fix his fees or compensation. The treasurer shall only pay out money on order of the county judge/executive, or on warrants drawn by the board, signed by its president and countersigned by its secretary.

Effective: June 17, 1978

History: Amended 1978 Ky. Acts ch. 384, sec. 411, effective June 17, 1978. --
Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat.
sec. 2380-36.