

## **An Open Letter: Our top ten comments about drain assessments**

From: Brenda M. Moore, Muskegon County Drain Commissioner

The toughest part of my job is having to assess property owners for drain work. The annual "Day of Review" for drain district assessments is emotionally charged. In the last 12 months we have received hundreds of calls, emails, and visits from individuals; many of them with the same concerns. They say for every person who makes contact regarding a concern there are at least six others who don't make contact. Therefore, I would like to share responses to our top 10 comments:

### ***"Why don't the property taxes I pay take care of drain work?"***

County general fund tax dollars do not go to support county drain work. Any maintenance work has to be supported by a special assessment. General funds do, however, cover the salaries of our 3-person staff: myself, the deputy and a secretary.

### ***"When was this drain district created? —I've never heard of it."***

Most of the 100+ open channel ditches in Muskegon County were created in the late 1800s and early 1900s to facilitate property drainage for new development and agriculture. Many of these drains are merely altered creeks, so the drain in your district may look very much like a stream.

### ***"I've lived in my home for \_\_\_ years and never had a drain assessment!"***

For most of the drains that have been worked on in the last several years we have found no formal record of assessments or major work for 30-40 years.

### ***"I don't have flooding problems on my property so I should not have to pay an assessment."***

In a catastrophic rain or melt event, not all of the water soaks into the ground so (respectfully) the rainwater and snow melt from your property goes somewhere. It runs off to other properties, and (eventually) to the county drain. If you received an assessment you are in the watershed of the drain.

### ***"How are assessments decided?"***

Local and county governments pay a portion of the bill. For property owners, it is generally based on their acreage. In some counties property owners who engage in conservation practices can realize lower assessments. We are working toward this incentive in the future.

***"The ditch in front of my house is a mess. How can you charge me for maintenance when it is in such poor condition?"***

Although some road drains are also county drains most county **Drain Commissioner** drains run cross country. Most roadside ditches are maintained by the County **Road Commission**. Road ditches are for road drainage, not private property drainage. We are collaborating more to work together if we can, however, but I have no authority to engage in work outside an established county drain.

***"We used to dig out the ditches ourselves."***

Not only is that a bad environmental practice because random digging can cause more problems downstream, but in 2013 state environmental protection law was changed to require Drain Commissioners to get permits for their work from the Michigan Department of Environmental Quality. Previous to that work in drains was not monitored. Private property owners now engaging in such work expose themselves to liability and potential penalties under state law.

***"The work you are doing is more expensive than ditch cleaning should be."***

Certainly nothing is getting cheaper, but we are not digging the entire ditch line (creek) with a backhoe as was generally done in the past. Although quick, it causes too much environmental damage. Much of our work now also comes under Michigan Department of Environmental Quality scrutiny and required "best management practices." Now, rather than digging out trees by the roots and casting aside soil spoils we keep waterway banks stable by working around trees and planting disrupted areas. This office now strives to reduce environmental impact and improve water quality.

***"We never receive notice of the work being done."***

Because the Drain Office has easements and right of access to work on the drains, notice may not have been provided in the past. Now we try to alert local officials and property owners along the watercourse, but we can do better. In the future, unless there is a need for emergency work, we will send a letter to all property owners in the district before work is done to invite questions and input. In some cases a town meeting may be in order.

***"Some people may have a hard time paying the assessment!"***

Average assessments have been between \$40-\$75 dollars. The Drain Commissioner has the option of spreading larger assessments over time, or assessing smaller amounts to build up a reserve for future maintenance work. The amount that can be "built up" is limited by the law and all funds are dedicated and held in a special account for each district. Assessments go on the winter tax bill and are due the following February with property taxes, so there is some time to budget.

For more information about drain office operations call us at 724-6219 or visit:  
[www.co.muskegon.mi.us/drain](http://www.co.muskegon.mi.us/drain)