

## Legal Drains

### Maintenance schedule

- Banks are sprayed in the spring, every two years. About 5 or 6 of the drains get sprayed every year. The county subcontracts this work.
- How often the banks get sprayed depends some on economics – how much money is in the budget.
- To spray the banks costs about \$0.20 per foot
- To “dip out” the bottom (not dredging, just cleaning the bottom) costs \$1.25-\$1.50 per foot. Since this is not major work, it does not require permits. This work is also subcontracted.
- Major work such as dredging or clearing an obstruction/brush requires permits from agencies (DNR, IDEM) and agreement (majority) from landowners. Tree clearing or reshaping banks costs \$8-\$10 per foot.
- Banks haven’t always been sprayed, just started recently. They use a 4-wheel buggy that goes along the sides and on top of the banks.

### Fees

- Current balances are shown on attached sheet. Each drain has its own balance, and residents within that drain’s watershed are responsible for bearing the costs of maintenance.
- Fees are collected with property taxes. Residents are charged \$10 per lot or \$1.20 per acre, with certain exceptions. Exceptions include drains that have had major work done and higher fees are needed to pay for it. Before the 1970s, fees were \$0.40 per acre and \$3 per lot.
- Why are some drains so far in debt? Some drains were added to the county’s legal drain system when they were in very bad condition and lots of work was needed to get them in shape. Others just don’t have as many residents within the watershed to front the costs. The negative balance means that that drain “owes” that sum to the county (i.e. money has been borrowed from other accounts to pay for the maintenance).
- What happens to the legal drains that have extra-large balances? When the balance for a drain is 3 times the annual assessment (provided by the surveyor), no additional fees are collected for that drain.

### Reconstruction

- Reconstruction is allowed, but is very rare.
- Regular fees collected with property taxes (mentioned above) are for maintenance only. For a reconstruction to take place, residents within that drain’s watershed must agree to an increase in their fees to pay for the entire cost of reconstruction. (A recent application east of Franklin estimated reconstruction costs at \$100,000.)
- The drainage board decides whether or not a reconstruction will take place – public meetings must be held, agreement reached between landowners, etc. State law also requires the drainage board to show that the economic benefits of reconstruction outweigh the costs. This is very hard to do.

- **\*\*BOB SAYS TO DOUBLE CHECK THIS\*\*** The drainage board has had three applications for reconstructions (since Bob has been there), none of which has passed.

What to do?

- If you look at the balance sheet, there are extra funds to the tune of \$500,000. Maybe some of this money could be used for prevention or proactive programs within legal drains. Bob thinks this is allowed, but no one has investigated it yet.
- It may be a good idea to pull the state laws for drainage maintenance. The Farm Bureau may have some of these.
- Also, there may be a law providing for tax credits for conservation protection. Might be worth investigating.

\*Refer to “legal drain watershed boundaries” map at [www.swcd.org/maps.htm](http://www.swcd.org/maps.htm) to see where each drain is. Highlighted legal drains are in the Youngs Creek Watershed.

DITCHES - All Accounts

8/28/2002

**Account Balances Report**

<b>Account</b>	<b>Balance as of 8/28/02</b>
<b>ASSETS</b>	
Cash and Bank Accounts	
Addie Vandivier	-\$8,076.14
Amity	-\$77,016.45
Atwood	\$4,880.64
Banta-Ragsdale	-\$3,781.22
Boles	-\$740.03
Bradely	\$12,711.53
Brewer	\$35,178.70
Brookstone	\$10,825.58
Cedar-Hills	\$1,182.76
Covert-Deer	-\$7,456.00
E.M. Fisher	-\$14,265.45
Eades	\$3,735.68
East Grassy	\$48,905.13
G.D.I.-CO.REV.	\$0.00
G.D.I.-DRA.BRD.	\$1.00
G.D.I.-REG.ACCT	\$38,307.73
Grubbs	\$3,754.70
H.O. Canary	\$73,666.07
Hazlett	\$11,034.92

Herod Reconstruction	-219.84
<b>Herrod</b>	<b>\$4,262.95</b>
<b>Hurr-Griffith</b>	<b>\$14,432.65</b>
<b>Hurricane</b>	<b>\$65,673.23</b>
Jennings	\$1,965.23
John Park	\$1,217.55
L.W. Jones	\$15,190.87
Lee Park	\$66,980.03
MARION-JOHNSON	-\$250.00
<b>Mary Alexander</b>	<b>\$882.66</b>
Mary Sutton	\$11,043.98
Montague	\$8,714.72
Norton	\$2,085.13
Norton Reconstruction	-\$64,030.77
<b>P.R. Griffith</b>	<b>-\$13,927.92</b>
<b>Powell</b>	<b>\$27,073.95</b>
Province	\$7,664.55
<b>R.A. Alexander</b>	<b>\$7,881.44</b>
<b>Ragsdale</b>	<b>\$30,200.10</b>
<b>Robards-Prunner</b>	<b>\$21,681.46</b>
Rouse	-\$9,785.00
Ryker	-\$15,454.04
<b>Sheek</b>	<b>\$9,497.32</b>
SHELBY-JOHNSON	-\$1,224.27
Shirley	\$1,997.65
Shuck	\$8,781.86
Timber Heights	\$914.50
Tom Cambell	\$1,838.58
<b>Tracy</b>	<b>\$153,355.62</b>
Tracy Greenwood City	\$0.00
Trout	\$6,146.96
Trout II	\$1,385.67
Villa Heights	\$9,675.58
<b>W.S. Vandivier</b>	<b>\$10,363.14</b>
Wm. Fisher	\$777.83
Woodridge Est.	\$1,062.00
TOTAL Cash and Bank Accounts	<hr/> <hr/> \$520,704.52