



# VAN BUREN COUNTY DRAIN COMMISSIONER

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JOE FARMAN, Drain Commissioner PETER VANDOP, PE, Engineer/Chief Deputy GEORGIA MASSURA, Deputy Drain Commissioner RANDY COUNTERMAN, SESC & Main. Supervisor

## FREQUENTLY ASKED QUESTIONS ABOUT DRAIN SPECIAL ASSESSMENTS

### 1. What is a drain assessment?

County drainage districts are separate public corporations with their own financial records. Each drainage district is supported by a Drain Special Assessment that covers the cost of maintaining the drainage system. County drains are not maintained by Van Buren County general fund taxes.

### 2. What is a drainage district?

A drainage district is a legally established area of land that drains to a common outlet. Drainage district boundaries are determined by the natural topography of the land and rarely correspond to political boundaries such as townships or counties. Common words for drainage district include watershed and drainage basin.

### 3. Where is the storm drain for which I am being assessed located?

The Van Buren County Drain Office has [maps](#) and aerial photos that can show the location of your property and the county drains within the drainage district. These documents will be available on the Day of Review. Even if your property does not touch the county drain, storm water flows toward this county drain as an outlet regardless of the land's elevation.

### 4. Why did I receive more than one special assessment notice?

Each notice informs you of a Drain Special [Assessment](#) for a different drainage district. Your property can be in multiple drainage districts because storm water moves from smaller watersheds through larger watersheds, ultimately discharging to the Great Lakes. For example, if your property were in a small watershed that is "nested" inside a larger watershed, you would receive an assessment for each district, should they both be assessed in the same year.

### 5. Is this the only way I would receive multiple drains assessments in one year?

No. Water may flow off your property in more than one direction to different drains and drainage districts and all those drains may be assessed in one year.

### 6. How are assessments determined?

The law requires that assessments be based on benefit derived as determined by the Drain Commissioner. All properties within the drainage district are assessed considering factors such as size of the parcel, land use, proximity to the drain, and location of the property within the district. Drainage is considered as an interdependent system with the entire system benefiting from maintenance of the common outlet. Due to newer data and updated technology a parcels benefit derived from a drain may also include the type of land cover within that parcel. Land cover may include a parcels agricultural use, developed area related to residential and commercial use, and natural area such as grassland, forest and wetlands.

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## **7. Do all property owners pay drain assessments?**

All property owners within a drainage district receive an assessment, unless specifically exempted by law. In addition, the municipality, Van Buren County, the Van Buren County Road Commission, and the Michigan Department of Transportation (as appropriate) also receive an assessment for a portion of the maintenance costs. The Drain Code does not exempt most non-profit or religious properties from assessment.

## **8. What is a Day of Review of Apportionments and do I have to attend the Day of Review.**

This is a time when you are invited to review the maintenance efforts and costs for providing your land with storm water drainage and to discuss your proposed share of (apportionment) of these costs. This is also a time to inform the Drain Commissioner's Office of additional maintenance issues. Your attendance on the day of review is not required and most of the information such as costs and apportionment are on the letter you have received. There is also more information available on the County Drain Office website.

## **9. I recently purchased my property. Why am I being billed for work done prior to my ownership?**

Although the work for which you are being assessed may have been completed prior to your purchase of the land, the Drain Code requires that assessments be levied to the property and assessed to the current owner of record. In most cases, the work performed will benefit the property for years to come.

## **10. What if I cannot attend the Day of Review?**

If you are unable to attend the Day of Review and have questions regarding your assessment or the assessment process, please call the Van Buren County Drain Office. It is possible to make an appointment at times other than the Day of Review, although the appeal period begins after the date of the Day of Review.

## **11. What happens if I disagree with the proposed assessment for my property?**

Appeal of Drain Special Assessments may be made to the Van Buren County Probate Court within 10 days after the Day of Review.

## **12. How do I pay my drain assessment?**

Drain assessments appear on your winter property tax bill and are paid along with your property taxes. In order to lessen yearly cost a drain assessment may be spread over multiple years, i.e. 1 of 3 years.