



# FREQUENTLY ASKED QUESTIONS ABOUT DRAIN COMMISSIONERS

MICHIGAN ASSOCIATION OF COUNTY DRAIN COMMISSIONERS

## **What is a drain commissioner?**

Drain commissioners, sometimes called water resources commissioners, are county-level officials responsible for administering laws involving flood protection, stormwater management, and soil erosion. Some specific duties performed by the drain commissioner include: establishing, improving, and maintaining county drains; reviewing stormwater drainage plans for construction that may impact a county drain; and maintaining lake levels, where applicable. Drain commissioners may serve on park boards or lake improvement boards. In some counties, the drain commissioner is also responsible for ensuring compliance with stormwater regulatory programs and operating and maintaining sanitary sewer systems.

## **Why are drain commissioners necessary?**

Drainage was vital to settlement in Michigan since the state was historically dominated by swamps, posing potential health risks and making the land unfavorable for farming. One of the first laws passed by the new Michigan Legislature was a drainage act that led to the creation of drain commissioners, who since then have played a significant role in ensuring our lands are livable and suitable for agriculture and other uses. Without proper management of stormwater, flooding may occur, adversely impacting homes, businesses, and farmland. Although responsibilities vary by county, all drain commissioners play a role in protecting the health, safety, and welfare of the public.

## **What is a drain?**

Drains come in various forms, including natural or artificial creeks or ditches, as well as pipes that carry stormwater. However, not every drain you see is under the drain commissioner's jurisdiction. Some, such as roadside ditches, might be the responsibility of the county road commission or private landowners.

## **What is a drainage district?**

Each established county drain has a legally established area of land known as a drainage district. Drainage district boundaries are typically determined by a drain's watershed. A watershed is an area of land that captures rainwater and eventually carries it to the nearest lake, river, stream, or drain. Watershed boundaries are determined based on topography of the land and, where applicable, storm sewer infrastructure. Within a drainage district, each drop of rainwater soaks in the ground, flows across the land, or enters a storm sewer eventually making it to that district's established drain.

## **What is a drain special assessment?**

Special assessments on property owners and governmental units pay for constructing and maintaining drains. Special assessments are the sole source of funding for drainage districts. Each drainage district has a separate financial account so property owners only pay for costs incurred for the drainage district in which their property is located.



## FAQ (cont.)

### **How are assessments determined?**

Property owners and government entities pay for drain costs based on the benefits derived. For property owners, factors may include the size of the property and its land use classification. Factors may vary depending on the type of drain or project.

### **Can I dispute my assessment?**

Each county holds a Day of Review that allows property owners to ask questions or raise concerns regarding their assessment. If you are unable to attend a Day of Review, it may be possible to make an appointment by contacting your local drain commissioner's office. If you are still unsatisfied with your assessment, you may appeal your apportionment.

### **What types of maintenance do open drains require?**

Open drain maintenance can take many forms, including removing fallen trees that are obstructing water flow or dredging to remove sediment. Some drains require preventative or other regular maintenance, while others need less frequent work.

### **What types of maintenance do enclosed drainage systems require?**

Enclosed systems require regular maintenance such as catch basin and pipe cleaning, root removal, and structure repairs. These repairs are especially critical to prevent sinkholes from occurring.

### **What should I do if I'm experiencing drainage problems?**

Contact your local drain commissioner's office to find out what drains are in your area. If any drains are under the jurisdiction of the drain commissioner, he/she may be able to discuss potential solutions.

### **What is stormwater?**

Stormwater is rainfall or snow melt that flows over the land, including our lawns, streets, parking lots, farm fields, and buildings. This water runs into our storm drains and ditches and eventually into our lakes, streams, rivers, and drains, carrying with it the pollutants it picks up along the way.

### **How can I help protect our water resources?**

Stormwater is likely to end up in a local waterway or ultimately one of the Great Lakes. Property owners can follow a number of easy steps to help protect these precious resources, including:

- Don't dump waste such as pesticides, oil, paint, or dog waste into catch basins or drains.
- Sweep yard debris such as grass clippings and dirt back onto the lawn instead of sweeping or hosing them into a storm drain.
- Landscape with native plants that are adapted to conditions in your area and therefore require less watering, pesticides and fertilizers.
- Capture rain water with a rain barrel and use it to water your lawn and plants.