

EVERYTHING YOU WANTED TO KNOW ABOUT DRAINAGE DISTRICTS IN IOWA

What is a drainage district? Drainage districts are formed under Chapter 468 of the Iowa Code. Drainage districts are a quasi-public association of property owners formed to facilitate cooperative drainage in a defined watershed. Drainage districts have many of the powers of municipalities or counties—to tax, to bond, to construct, etc. in respect to improving, constructing, and maintaining drainage projects. Most drainage districts were formed in the late 1800's and early 1900's when the wetlands were drained to make farmland.

Who is in charge of drainage districts? The *Trustees* of the drainage district govern the drainage district. Most drainage districts are governed by the County's Board of Supervisors who act as the default trustees for the district. If the property owners in the district are unsatisfied with the trustees, they can elect their own trustees from property owners in the district.

Why do we need drainage districts? In the late 1800's and early 1900's, there were vast areas of flat land that had inadequate drainage and were not able to be farmed. These wetlands needed to be drained for farming. Drainage district law was established which allowed for cooperative draining of these properties. These first drainage districts were for the large drainage ways of the Skunk River and Squaw Creek. Later smaller drainage districts were formed to take advantage of the improvements to these rivers. Drainage districts organize property owners to cooperate in order to get proper drainage of their property. If you were a property owner in the upper area of the watershed, drainage improvements to your farm were useless unless your neighbor downstream improved his/her drainage first. Drainage districts have both underground tile systems and open channels/streams.

Why is my property in a drainage district? Drainage districts are organized by *watershed areas*. A watershed is an area where any runoff will run to the same discharge point. For example, everyone in Boone and Story County is in the watershed of the Mississippi River—any rain that falls in this area *ultimately* makes it to the Mississippi River. When a drainage district is formed, the area of the district is determined by an Engineer and mapped.

Why didn't I know my property was in a drainage district? That is not unusual. Most drainage districts require infrequent maintenance and as such property owners are infrequently billed for work within a district. It is possible that no work was done in the district for several years.

Why are repairs necessary? The State law requires necessary repairs to keep the drainage district functioning to its *original condition*. If repairs are not done, there will be inadequate drainage and damage to properties. Any property owner in the drainage district may petition the trustees to conduct repairs. The trustees have a legal obligation to complete the repairs.

Why doesn't the County do the work? The County has a crew that does repair work in the drainage district. However, this work is billed to the drainage district and eventually the drainage district property owners pay as this work is not included in your taxes paid to the County. If the project is too large for the County to complete, then a private contractor is hired to perform the work. The project is put out to bid and the lowest bidder retained to do the work. All work by private contractor is awarded in accordance with the State Law regarding drainage districts.

If no work is being done on my property, why do I have to pay? Drainage districts are very large and interconnected. Even though work does not occur on your property, the cost of those repairs is apportioned based on the original assessment levied against the properties. There may be a time when work is performed on your land to repair a drain tile and the cost of this work will be shared by your neighbors in the drainage district.

How is the assessment for repairs determined for my property? When the drainage district was originally formed the drainage *benefit* was evaluated for every 40 acre parcel. The drainage benefit was apportioned to each 40 acre parcel in the watershed and the assessment schedule established. Your property will be assessed for the repair work at the same percentage as the original project for the drainage district. If your property was originally 1% of the cost of constructing the district, then your repair assessment will be for 1% of the repair. If your property was subdivided, then the portion is reduced in accordance with the land area. For example, if you bought one acre from a 40 acre parcel, then your assessment would be 1/40th of the original assessment. If you have several 40 acre parcels in the drainage district, then each 40 acre parcel will have its assessment.

How do I pay for repairs? The repairs are assessed to the property owner in the same manner as property taxes. There is a minimum charge of \$5 if your property is within the drainage district. Any charge less than \$100 per parcel of land is payable in one payment. Assessments greater than \$100 per parcel of land can be paid over a period of 3-10 years and will include interest for those years. Assessment costs will include interest costs on the drainage district bonds. Owners may pay the assessment in advance without interest. Failure to pay drainage district assessments is handled in the same manner as delinquency of property taxes.

Where can I see the report prepared by the Engineer for the Boone County Drainage Districts? Original maps and engineer's notes from the inception of all drainage districts are available in the Auditor's Office as well as detailed maps in the office of the County Engineer.