

DRAINAGE DISTRICT QUESTIONS AND ANSWERS

1. What is a drainage district?

Drainage districts have been established for the drainage of surface waters from agricultural and other lands for the protection of said lands from overflow when said protection is a public benefit or is conducive to public health, convenience, and welfare (Section 468.2, State Code Of Iowa).

2. Who sets up drainage districts?

Drainage districts are established by the Drainage District Trustees at the request of the land owners within the proposed district (Section 468.6-468.8). Petitions and actions to establish are kept in the minute books in the county auditor's office.

3. What are assessments for?

Assessments are made as necessary to pay for engineering costs, improvements, and repairs within a given drainage district.

4. How is my assessment determined?

Assessment or classification of land in a drainage district is based on the benefit that land is seen to receive from being in the district. The original assessed value of any parcel of land within a district was set when that district was established and is the basis for all assessments unless the district is reclassified by the trustees (Section 468.49).

5. Who are the trustees?

Under the Code Of Iowa, Chapter 468 the County Board Of Supervisor's act as Drainage District Trustees in all District matters. The land owners of a particular district may, if they wish, elect their own trustees and maintain the district themselves.

6. Can the trustees make repairs without my consent?

YES - The trustees are required by the Code Of Iowa (Section 468.126) to maintain all drainage districts at their original capacity. Notice of repairs is only required when the cost will exceed \$10,000 or 75% of the original assessed value of the district, whichever is greater.

7. Can I get out of the district?

NO - Unless the district is dissolved (Sections 468.250-468.261).

8. Where are the drainage district records kept?

All drainage district records are kept in the County Auditor's Office.

9. Where can I complain about drainage problems?

Drainage district repairs are generally done by the County Engineer and requests for repairs should be directed to that department. Other complaints, problems, or questions can be directed to the drainage clerk in the Auditor's Office or to the drainage district trustees.

10. Who pays for drainage district repairs?

The land owners in the district pay for all maintenance and repairs to that district. The County Engineer's Office or an independent contractor hired by the trustees will do the work and bill the cost to the district. Members of the district pay based on the proportion of the original assessed value of their property to the original assessed value of the entire district.

11. Why are the drainage assessments not proportional to property valuation?

Assessments are computed as a percentage of the original assessment which is based on the benefit that property is seen to receive by being inside the district (see next question).

12. Why is my assessment \$25.00 when my neighbor's is only \$7.00?

Assessments are based on the benefit a particular property receives from the district. Properties near the bottom of the district or adjacent to a district tile line will generally pay more than properties at the top of the district or that are not close to a district tile. This is because the tile lines run through the lowest areas which would have the worst flooding if no tile was present. Offer to pull the district map for the land owner so they can see where they are located in the district with relation to the district tiles.

13. I've lived here for years and never gotten a drainage bill. Why now?

Drainage districts are not levied on a regular basis. When a district is levied the trustees set the percentage such that a surplus (usually around \$2,000) remains after all bills are paid. The district will not be levied again until its funds are depleted which depends on the amount of work required in the district. Some districts are levied every 2 years while a few have gone 50 years or more without a levy. The norm is every 4-5 years. Show the land owner when their district was last levied.

14. I just purchased this property and got a drainage bill. The previous owner paid me for property taxes due. Should they pay for this as well?

NO - Drainage districts are levied when district funds drop to zero. The levy creates funds to pay for future expenses, not past ones.

15. What happens if I don't pay my assessment?

Delinquent drainage assessments become a lien on the property (Section 468.51). The property can then be sold for back taxes/assessments just as it can be sold for non-payment of property taxes (Section 468.158-.162).