

County ditch maintenance and assessments

By Michael J. Kerns, P.E.

Summer Newsletter 2023

As you may know from the Annual Engineer's Report, the Logan County Engineer's Office (LCEO) is responsible for maintaining 47 ditches with said ditches consisting of 38.00 miles of open waterway ditches, 17.38 miles of tiled ditches and 9.2 miles of grassed waterways. Typical maintenance items include mowing, spraying, center dipping for improved flow, crossing and bank slip repairs, erosion control, tile repairs, and removing log jams. Last year some level of maintenance was performed on every county maintained ditch - but who pays for said maintenance? How are the values of the special ditch assessments calculated? And how much money is in each ditch account?

Ohio Revised Code (ORC) mandates that, as of 1957, approved and completed county-petitioned ditches are to be placed under permanent maintenance and the County Commissioners and County Engineer are responsible for overseeing this maintenance. ORC 6137 requires maintenance to be funded by landowners found to benefitting from the ditch. Funds come from ditch assessments, which show up as 'Special Assessments' on tax bills and are paid by any landowner (this includes state, county and township entities) who is found to be within the watershed of the ditch.

These assessments go into the specific ditch fund that the landowner lives in and nowhere else. I.e., all special assessment money that is collected for a specific county ditch fund will be used solely for the maintenance of that specific ditch. Said maintenance includes LCEO engineering, surveying and administration costs as ORC mandates said costs are to be reimbursed by the applicable ditch fund.

Assessments are determined by the LCEO and the assessment calculations are modeled after a procedure first developed by the Preble County Soil and Water Conservation District in 1981. This procedure takes into consideration the following four physical features of a watershed: benefitted acres, land use, soils, and topography. Drainage need unit is the term used for the calculation that determines the drainage need of each parcel based upon the parcel's land use (the amount of runoff on a particular parcel is directly related to the amount of impervious areas that it has i.e. there is a greater need for drainage for those parcels of land with a large amount of impervious areas when compared to pervious areas), soil type (the U.S. Department of Agriculture and Soil Conservation Services has classified soils into four hydrologic soils groups according to their infiltration and transmission rates), topography (elevation factors are assigned based upon the presumption that land at higher elevations has less of a need for the drainage improvement and therefore receives less benefit from drainage

improvement projects), and benefitted acreage (the amount of a parcel's acreage within the ditch's watershed).

ORC Section 6137 allows for the Logan County Commissioners to review petitioned ditches and to "add to the schedule of benefitted owners any other owner who, in the judgment of the board, is benefitted by the operation and maintenance of the improvement" (ORC 6137.11). With this in mind, the LCEO has been and will continue to monitor and update the landowner assessment schedule using the most accurate data available to ensure all benefitting owners are being assessed as fairly as possible. Currently this means watersheds are created using 2-foot contours obtained from 2019 LiDar (whereas watersheds created in the past typically used 5-foot or 10-foot contours), using aerial imagery from 2019 to determine land use values, and using 2006 soil data to determine soil group values.

Per ORC, the maximum amount of money allowed in each ditch fund is 20% of the permanent assessment base, which is usually the original cost of construction. ORC 6137.112 states "the county engineer [is] to estimate the construction cost of the improvement if that improvement were to be constructed at the time of the permanent assessment base review" which allows ditch funds to keep up with inflation. The total amount of funds in each ditch is based on the historic maintenance needs of each ditch and the Ditch Supervisor's verbal report on the current condition of each ditch. The minimum maintenance assessment is \$2.00 per parcel.

Please contact Ditch Supervisor Steve Tracey (Phone: 937.592.2791 Email: stracey@lceo.us) if you discover any issues and/or concerns regarding a county-maintained ditch.