

Category: 200  
Number: 252

Subject: **DRAIN ASSESSMENT POLICY**

1. PURPOSE: The purpose is to:
  - 1.1 Form a written County Policy on all Drain Assessments as provided by Act 40 of P.A. 1956 as amended, known as the Michigan Drain Code;
  - 1.2 Direct the County Controller's Office in the proper billing of the County Road Commission pursuant to section 14a of P.A. 1951; and
  - 1.3 Communicate to County Elected Officials, Department Heads and the public the County's formal policy with respect to Drain Assessment Allocation of Cost for the County of Saginaw.
2. AUTHORITY: Saginaw County Board of Commissioners.
3. APPLICATION: This policy applies to all County at large drain assessments.
4. RESPONSIBILITY: The Controller/CAO shall have responsibility for coordinating and implementing this policy with the Public Works Commissioner.
5. DEFINITION(S): NONE
6. POLICY:
  - 6.1 Pursuant to Section 14a of Public Acts of 1951, generally known as the "Highway Act", the Saginaw County Board of Commissioners adopt such policy which provides that the County Road Commission will participate in certain County at large drain assessments.
  - 6.2 More specifically, Section 14a of Act 51 states, in part, "50 percent of the cost of drain assessments against a county for drainage of county roads shall be paid by the county road commission from county road funds."
  - 6.3 The County Controller's Office shall annually bill and collect from the Road Commission such percentage that State law allows, including supplemental benefits as requested by the Road Commission. Such annual billings will be inclusive of all petitioned construction projects and maintenance projects as introduced by the Public Works Commissioner, Drainage Board or inter-county drainage board pursuant to Act 40 of Public Acts of 1956 as amended.

7. ADMINISTRATIVE PROCEDURES: NONE
8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:  
Saginaw County Controller/CAO

Approved as to Legal Content:  
Saginaw County Civil Counsel

ADOPTED: November 23, 1999