

# Frequently Asked Questions (FAQ) Sheet

## SCHMITZ DITCH

### 1. What is the purpose of the final hearing?

At the final hearing, the Joint Board of Fulton and Lucas County Commissioners receives and gives his report regarding the estimated cost of the project, the proposed maintenance base for the ditch, the feasibility of the project, and his opinion as to whether the benefits of the project are likely to exceed the costs.

In addition, the Joint Board hears any additional evidence offered by benefitting landowners on the amount of the maintenance base as well as any additional evidence and testimony regarding the petition. At the Final Hearing, the Joint Board will also revisit their prior decision made in the First Hearing to approve the petition for Schmitz Ditch that the improvement is necessary, conducive to the public welfare, and is reasonably certain that the costs are less than the benefits.

### 2. What is cost to benefitting property owners?

At this time, the purpose of the hearing is to place Schmitz Ditch under permanent maintenance. Maintenance work typically consists of spraying and minor brushing. At a later date, silt removal may be required at various locations to keep water moving in the ditch. However, removal of silt is not anticipated at this time. Costs associated with permanent maintenance are relatively low, typically \$10 to \$20 per acre.

If a property owner performs their own maintenance of the ditch, they may make a request to the lead County Engineer (Lucas County) to review the work performed on the ditch by May 1 and not be subject to assessment. If the Engineer agrees that the work performed is sufficient, he can recommend to the Joint Board that the property not be assessed for a given year.

### 3. Why is the County proposing this project?

The project was initiated after the landowners worked together to clean the ditch. This project proposes to have the Lucas and Fulton County Engineers and Lucas and Fulton County Soil and Water Districts to perform maintenance activities Schmitz Ditch.

### 4. Why petition the project?

The Ohio Revised Code requires the petition ditch process to place privately owned ditches under public maintenance to allow expenditure of public funds. As such, the

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petition process provides Lucas and Fulton Counties a permanent easement on the ditch to allow for continued maintenance and allowing the Counties to maintain public investment. It also allows those who benefit from the ditch, but do not live along it to share the cost of maintaining the ditch.

**5. What is the Maintenance Base Assessment?**

The Maintenance Base Assessment is based on the value of the whole project using methods according to Ohio Petition Law. It serves as the basis on which the costs for maintenance would be proportioned for assessment. It also serves as the maximum assessment that any property could theoretically incur. In addition, the Joint Board can choose to collect an assessment for future maintenance in an amount up to 20% of the total maintenance base.

If maintenance work is performed, the maintenance assessment is calculated as follows:

Maintenance Assessment = Property Maintenance Base/ Total Maintenance Base x Maintenance Cost

Example: If we have \$100,000 total in Maintenance Base Assessment and your Maintenance Base Assessment is \$1,000 if maintenance costs for the ditch are \$2,000, your assessment for ditch maintenance would be calculated as follows:

Given the example above, the maintenance assessment for the property would be:

$\$1,000 \div \$100,000 \times \$2,000 = \$20.00/\text{year}.$

**6. Is there any possibility of being assessed for maintenance of Schmitz Ditch:**

If the petition is granted by the Joint Board at the final hearing, the result of this process will be to place Schmitz Ditch on a permanent maintenance program. Each year, Lucas and Fulton Counties will inspect Schmitz Ditch. If maintenance work is required, the Lucas and Fulton County Engineers will request an assessment and perform the work. Property owners will be assessed to maintain Schmitz Ditch in good working condition.

**7. I do not live on Schmitz Ditch or near Schmitz Ditch why am I in the assessment area?**

The Ohio Petition Law accounts for any land owners in the drainage area or watershed of the ditch improvement as benefitting from the ditch improvement. Within the drainage area, runoff from storm events utilizes the improvement to remove excess water from the property. If you are receiving this letter, the property identified uses Schmitz Ditch to receive excess runoff which drains from the property.