



## **Redetermination of Benefits FAQs**

Below are frequently asked questions by landowners pertaining to the redetermination of benefits. If these did not answer your question(s), please call the office at 320-834-5341.

### **1. What is the redetermination of benefits?**

The redetermination of benefits process is conducted when a Drainage Authority decides the original benefits or damages determined in a drainage proceeding do not reflect present day land values, or the watershed areas have changed. Many drainage systems in Swift County have not undergone this process since their construction, some dating back to the early 1900s. This process ensures that land found within the watershed that contributes to the capacity of the ditch system then pays a percentage of its maintenance.

### **2. What is a buffer strip (damages) payment?**

Dayton's Buffer Law states that when a redetermination of benefits occurs, the Drainage Authority must purchase a permanent easement for a one rod (16.5 ft) buffer strip next to public open ditches. This easement is for maintenance access and takes the buffer strip out of production, so the landowner will receive a one-time payment for it. The buffer does not become public land after this payment. If your buffer payment(s) is greater than your assessment amount, then you must only wait for a check from Swift County.

### **3. What is the property owner report and why did I get multiple for the same parcel?**

The property owner report is the breakdown of a 40-acre tract that is found to have acres within the watershed of a public ditch system. This breakdown consists of the acres benefited by the ditch system, total benefits or land value, percent of total benefits (percentage of project cost and future assessments to the ditch system), assessment (cost to landowner for project), and buffer strip payment (if applicable). You would receive multiple reports for a parcel if it is greater than 40 acres and has benefited acres in other quarters of it.

### **4. Do I have to pay my assessment before the Dec. 13<sup>th</sup>, 2024 deadline?**

This is a pre-payment window to give landowners the opportunity to pay their assessment(s) without interest. You may pay however much you want before the

deadline. Swift County will need to bond for the remaining amount of the project cost and unpaid assessments will then have an interest rate added to it and cannot be paid off before the bond's timeframe is up. These assessments will be on your property tax documents if they are not pre-paid.

**5. Is there a way to opt out of future assessments if I do not benefit from the ditch system?**

The appeal window has closed for making changes to the watershed line. A petition for removal can be filed for the land to be exempt of future assessments. Please note that this makes the petitioner responsible for all hearing costs incurred and must prove that water from the petitioned land does not reach the drainage system.

**6. Is this a one-time assessment?**

Yes, this assessment is only for the redetermination of benefits project. Future, annual assessments for public ditch maintenance will be applied to property tax documents and will likely be a much lower cost than this one. The percentage assigned to the 40-acre tract will be the percentage paid on future assessments to the ditch system.

**7. I was not benefited before, why am I now?**

Many of our ditch systems have not been viewed since their construction in which benefits were assigned only to land directly in contact with the ditch system. The viewers that completed this project used elevation maps, soil maps, Lidar imagery, landowner accounts, and hydrological simulations to produce an accurate watershed line of which expanded on the majority of the public systems. The viewers would have found that your water makes it to the ditch system within a certain amount of time, thus contributing to ditch capacity.

**8. My land touches a private ditch, how am I benefited?**

If the private ditch outlets into the public ditch system or somewhere that drains into the public ditch system, then water from the land is taking up capacity of the ditch system. Private ditches that outlet into public ditch systems are not required to have a 16.5' buffer strip and will not receive a payment for one.