

Brian Balman's comments:

My objection to this bill is not an objection to being neighborly or to helping others in need. I want our water district to grow and serve those in the area, but to do it in a fair and equitable way.

This bill takes the burden of maintaining a benefit unit from the owner of the land (or the for-profit financial institution that foreclosed upon it) and places the burden squarely upon the non-profit water district. It requires the water district to research and know exactly who owns each property upon which one of its meters is placed AT ALL TIMES. While this bill applies only to property that has been served foreclosure, this practically removes the possibility that any water meter could be lost...it will simply be too difficult for the water district to prove ownership of properties and to have evidence of dates of foreclosure.

This will force the district to use a collection agency to recover funds and takes away the natural consequence of the loss of a benefit unit when accounts become six months overdue.

While Franklin County RWD #6 does its best to notify benefit unit holders when they are behind, we cannot track down owners who move out of the area or financial institutions that become the owner of record without our knowledge.

HB 2958 reads "...the land to which the benefit unit is attached..." which implies that the benefit unit is attached to the land. It is not.

Having a benefit unit entitles one to having a water meter and to be served as best the district can with good quality water....this is the purpose of the district.

Philosophically, this bill comes down to freedom and rights. Freedom of a group of benefit unit owners to set their own rules (called by-laws) for how a district will be run versus having the government dictate how things can be run. The bylaws have served the district well for many years. Passing this bill would force changes upon those who have been peacefully working together to serve the community. I am thinking about how well Obamacare has worked (this is a purely sarcastic statement)!

While HB 2958 would serve one particular person very well, it would cost the other benefit owners a great deal. And one should note that Franklin County RWD#6 is willing to sell a benefit unit to the party who has complained so loudly about our by-laws....treating her the same as everyone else in the district.

Instead of solving a few problems by burdening water districts, why not write a law requiring real estate companies, financial institutions, or other such sellers of property to make it clear whether or not a property comes with a benefit unit? Or perhaps buyers should be required to discover whether a benefit unit is included with their property BEFORE THEY GET THE DEED RECORDED?

There are many solutions to the issues addressed by HB 2958....This bill is perhaps the worst possible solution.