

## **Proponent Testimony- Sharon Township Trustee Laura Kunze**

### **HB 602 (Duffey, Lanese): “The Clean Water Fair Pricing Act”**

**Ohio House- Finance Committee- May 23, 2018**

Chairman Smith, Vice Chair Ryan, members of the committee, thank you for the opportunity to present proponent testimony for HB 602, “The Clean Water Fair Pricing Act”, legislation to address growing concerns of many Ohioans regarding unfair and discriminatory municipal water and sewer provision and pricing.

I am a resident of unincorporated Sharon Township in a neighborhood called Mount Air. I am also a Sharon Township trustee. Prior to being elected Trustee I was Chairman of the Mount Air Improvement Corporation, the entity that manages a small private water system that services 49 of 80 homes in my neighborhood. We are also on septic systems, some aerated and some not. Our neighborhood is situated on the north end of Franklin County, 1 street away from the Delaware County line.

The system is not designed for today’s water needs nor would it pass current EPA standards. It was built by residents in the 1960’s. We do not have sufficient pressure to support fire hydrants. The system is way past it’s 30-year lifespan and we have been experiencing numerous age-related breakages and resulting water outages at a high rate since 2015. The pipe is brittle and splits very easily with ground movement and pressure fluctuations. Since 2016 we have been actively pursuing a long-term solution for water and have encountered numerous barriers.

I have repeatedly reached out to City of Columbus, Aqua Ohio, Franklin County, Ohio EPA and DelCo leadership for assistance. City of Columbus estimated cost of \$1.5 million to run a line to Mount Air (over a mile away) plus 1.6 million for new lines in the neighborhood and additional tap fees. Total responsibility would be nearly \$70,000 per home plus we would all be required to annex. To note- municipalities often run extensions at no cost to commercial properties in order to gain tax base (and townships lose it), leaving orphan residential properties. Even if these residential areas wanted to annex at a later time to gain water or sewer services, they are not able to afford an extension and it is not offered to residences free of charge.

Aqua Ohio (a for-profit water company) offered to sell us water but not address our crumbling infrastructure. Franklin County would have similar costs as City of Columbus as the closest tap was the same but the water rates would be higher, though we could avoid forced annexation. DelCo was not able to service us without City of Columbus permission due to a settlement agreement and City of Columbus was unwilling to grant the waiver of service area. We believe DelCo is our only remotely affordable option due to its proximity to Mount Air.

We have also explored upgrading our own system, but Ohio EPA made it clear that if we were to update our own infrastructure we would be required to bring the entire system up to current standards- wells, plant, and infrastructure. We have determined that this would be an unmanageable expense for our small neighborhood to assume nor would it be sustainable financially on such a small scale for long-term operation.

The Mount Air residents do not want to annex. Townships have unique access to their local officials and can gain direct assistance to challenges unique to townships. Police, roads, and code enforcement in many township areas require a high level of responsiveness, something that is challenging for municipalities to provide to non-core areas. In Mount Air we have steep hills and one-lane roads that require frequent plowing in winter to keep cars from sliding onto 315. In our quiet neighborhood crime incidence is low due to frequent police presence

I engaged the support of Sharon Township leadership and Representative Mike Duffey for assistance early on when it became clear there would not be a simple solution. Even with all of their support we continue to struggle to get past the City of Columbus annexation policy, the extreme financial burden with that option and their unwillingness to let us pursue a more affordable option with DelCo. Up until recently City of Columbus had been unwilling to even meet with us and County Commissioners to discuss. In the meantime, our water system has continued to crumble.

As a township trustee I am aware that our story in Mount Air is not unique and a monopoly on water/sewer has been in place for some time. I am deeply concerned that this activity has gone largely unchecked. For many years we have seen townships lose commercial and residential revenue time and again to municipalities solely over water and sewer needs. These municipalities receive state funding to support provision of water/sewer and use this privilege to force annexation for their own economic growth at the expense of the townships and Ohioans who choose to live in them. As state funding to townships has decreased we are expected to do more with less and our unincorporated areas become ever more fragmented due to forced annexation the residents and townships don't want. When constituents need water/sewer they are given no choice.

If water/sewer was like other types of utility customers would have a choice in service provider (where possible) and there would be oversight of the provision and payment for such services by an entity other than the service provider. When an unincorporated area of a township is in need of water/sewer and an attainable solution is literally feet away from the neighborhood in need, why should they need to fight a political battle? All the while risking the economic viability and health of the residents in need. I have neighbors with cancer, cystic fibrosis, recent organ transplants, elderly and newborns. I worry every day that we will fail them in some way if we cannot find a solution, with devastating effect.

With the recent announcement of a potential merger of Franklin County water and sewer with City of Columbus, many townships fear that existing areas served by the county will fall victim to the annexation policy, in addition to paying "out-of-city rates", even though closer to the plant than many "in-city" areas. City of Columbus has only recently relayed that they are revisiting their annexation policy

as well as may consider the service area waiver to Mount Air. I applaud this sudden openness, given our situation, and want to ensure that going forward other communities do not suffer the battle we have waged for over 2 years.

As a resident I pay state taxes. Why should I want my state dollars to continue to support a system that uses my dollars to discriminate against me and my constituents? This is the same system that has provided road blocks to a critical need in my own community.

Townships and villages deserve to be able to enjoy economic growth and offer constituents residential and commercial growth opportunities. It is in everyone's interest that there be affordable, centralized water and sewer systems that ensure public health and environmental protection. We ask that townships and counties have a seat at the table to ensure these services for all Ohioans, not just ones who have chosen to live in municipalities. Through balanced oversight we can better ensure that all Ohioans have a choice in local government where they live and can maintain the services they value in their community.

Thank you for this opportunity to testify. I welcome any questions you might have.