

Brown Co Attorney: Water District Petition Faulty

(KNZA)--A petition submitted by Brown County Rural Water District #2 for the annexation of land into it's District is faulty and doesn't comply with state statue.

That assertion is made by County Attorney Kevin Hill, and was the focus of Tuesday's Brown County Commission meeting.

Several District board members were joined by Attorney Bill O'Keefe and District patrons to discuss the petition recently submitted to the Commission for their approval.

Hill reviewed the state statute that sets out what the petition needs to contain. "It's a matter that we have a statute that's before you that is as clear as day and it has requirements. In law, procedures have to be followed and when they're not, the County can not approve it."

Hill said the petition should have been brought to the Commission before it was circulated for signatures.

Water District Board Chairman Leroy Puvogel said the District was contacted about five years ago by several landowners in the northeast portion of the county about the District providing them with water service. A feasibility study was conducted, and petition circulated to acquire the needed signatures for annexation into the district. "We roughly had about 52-percent of the signatures up in that area and I believe we 191, 192, sign up for the annexation. That doesn't necessarily mean that they wanted a water meter per se but they want to have water available maybe for themselves and or their neighbors. Some of them have wells, some of them have good wells, but I think the majority of the people up in that area do not have good wells and they're looking for a clean source of water."

Puvogel said he understands Hill's legal position, but expressed disappointment they weren't able reach a resolution Tuesday and move forward with the annexation process.

Commission Chairman Warren Ploeger told the group when a valid petition is submitted, the Commission will approve it. Commissioners Steve Roberts and Keith Olsen even offered to help the district circulate a new petition.

Many Signals Communications