

Santiam Water Control District

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RESOLUTION ON COLLECTION OF DELINQUENT ASSESSMENTS

RESOLUTION No. 2023-1

A RESOLUTION ESTABLISHING DISTRICT TIMELINES TO WITHHOLD WATER, COLLECT DELINQUENT ASSESSMENTS AND BEGIN FORECLOSURE PROCEEDINGS

WHEREAS, Santiam Water Control District (SWCD); Adopted an Assessment and Fee Policy on February 2, 2022. This policy outlines the methods to determine delinquency, levy assessed lands and foreclose said lands with delinquent unpaid Assessments.

WHEREAS, SWCD confirms that; assessments are due on April 15th annually, the lands are levied in March by board order placing a lien and the assessments are deemed delinquent on November 1st of the same year if they have not been paid. Lands with a Board approved payment plan are deemed NOT delinquent as that term applies to withholding water.

WHEREAS, ORS 553.230 (6) states that the Board shall "Withhold deliveries of water to lands upon which there are delinquent charges or assessments"

WHEREAS, The Assessment and Fee policy authorized that after April 15th the board may direct that all delinquent assessments then unpaid be foreclosed by the District.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SANTIAM WATER CONTROL DISTRICT that:

SWCD will notify delinquent Patrons that the District will withhold water beginning on May 1, 2023 on delinquent accounts in accordance with statute 553.230. Prior to withholding water delivery Patrons will be given the opportunity to establish an acceptable payment plan, as outlined in the 2022 Assessment and Fee Policy, otherwise water will be withheld per policy and statute.

BE IT FURTHER ORDERED that SWCD will notify all Patrons with delinquent assessments due in 2018; official foreclosure proceedings will be started November 1, 2023, if all debts owed by Patron to the District are not paid in full by this date.

BE IT FURTHER ORDERED that in order to transition to a 3-year foreclosure timeline SWCD will notify all delinquent patrons that;

Patrons with delinquent assessments due in 2019; official foreclosure proceedings will be started November 1, 2024, if all debts owed by Patron to the District are not paid in full by this date.

Patrons with delinquent assessments due in 2020; official foreclosure proceedings will be started November 1, 2025, if all debts owed by Patron to the District are not paid in full by this date.

Patrons with delinquent assessments due in 2021 or 2022; official foreclosure proceedings will be started November 1, 2026, if all debts owed by Patron to the District are not paid in full by this date.

BE IT FURTHER ORDERED that beginning with 2023 all delinquencies that reach 3 years will have foreclosure proceedings started on November 1st of the year delinquency reached 3 years. Assessments for 2023 would be foreclosed in 2026.

ADOPTED BY BOARD OF DIRECTORS THIS March 13th, 2025.

David Dalke
President, Board of Directors

ATTEST:

Brent Stevenson
Secretary, Board of Directors