

ORDER MODIFYING THE ORDER FORMING THE
BEAR, HIGH, WOLF LAKE REGIONAL SEWER DISTRICT

That the Order dated July 17, 1996, forming the Bear, High, Wolf Lake Regional Sewer District be amended as follows:

1. That the proposed district shall be governed by a Board of Trustees made up of five (5) directors. All directors shall be from the district and shall serve terms of four (4) years. The directors shall be elected by the residents, however, the initial directors shall be selected by the Noble County Board of Commissioners. The geographical representation among the directors shall be as follows: two (2) directors from each Bear Lake and High Lake and one (1) from Wolfe Lake.
2. In the event there is a vacancy of a director on the Board of Trustees, a replacement shall be selected by the Noble County Board of Commissioners. Said replacement shall be from the geographical representation of the vacant director and shall serve the balance of their term.
3. That in all other respects, Bear, High, Wolf Lake Regional Sewer District will remain subject to the terms of the original Order entered on July 17, 1996.

Under IC 4-21.5-3-5(f), this Order becomes effective eighteen (18) days after the mailing. If you wish to challenge this decision, IC 4-21.5-3-7 requires that a petition for administrative review be filed. This petition describing your intent must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, Indiana 46204, within eighteen days from the mailing of this notice. This petition must be filed in accordance with IC 4-21.5-3-7, and must include facts demonstrating that the petitioner is the applicant, a person aggrieved by this decision, or a person entitled to review by law.

Pursuant to IC 4-21.5-3-5(d). The Office of Environmental Adjudication will provide the petitioner, or any other persons requesting notice, with notice of prehearing conferences, preliminary hearings, hearing stays or orders disposing of the petition for review if a written request for such notice is submitted to the Office of Environmental Adjudication at the above address.

Dated at Indianapolis, Indiana, this 12th day of January, 1999.



John Hamilton
Commissioner
Indiana Department of
Environmental Management

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

PETITION TO AMEND THE ORDER
ADOPTING THE FINDINGS OF FACT AND RECOMMENDED ORDER
OF THE HEARING OFFICER FOR THE ORGANIZATION OF THE
BEAR, HIGH, WOLF LAKE REGIONAL SEWER DISTRICT

That paragraph 4 of the recommended order which was adopted and appeared in the order dated July 17, 1996 be amended to include the following provision to address vacancies of the Board of Trustees as follows:

WHEREFORE, the petitioner prays that the order dated July 17, 1996 be amended and for all other relief which is proper in the premises.

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RESOLUTION

THIS RESOLUTION passed this 15th day of April, 1996, by the Board of Commissioners of Noble County, Indiana;

WHEREAS, the Board of Commissioners has filed a petition with the Indiana Department of Environmental Management (IDEM) requesting the creation of Regional Sewer District for the Bear, High, and Wolf Lake areas; and

WHEREAS, there has been a public hearing held by IDEM on the proposed district on February 22, 1996; and

WHEREAS, IDEM staff is currently considering the petition for the creation of this district; and

WHEREAS, it is the purpose of this resolution to amend the petition to include certain modification.

NOW, THEREFORE, BE IT RESOLVED:

1. That the area of the district be reduced in accordance with the attached map.
2. The primary areas of service are shown on the attached map in the Bear and High Lake areas. Those properties located within this area would be required to connect to the new sewer system at such time as the system is constructed and made available, consistent with existing laws of regional sewer boards.
3. For all areas within the district outside of the primary service areas, property owners would be required to connect to any present or future sewer system of the district when their existing system is no longer functioning adequately as determined by the Noble County Health officials. However, any property owner may choose to voluntarily connect to the system.
4. The governing board of the district is formed by the following representatives: Two (2) from Bear Lake, Two (2) from High Lake and One (1) from Wolf Lake.

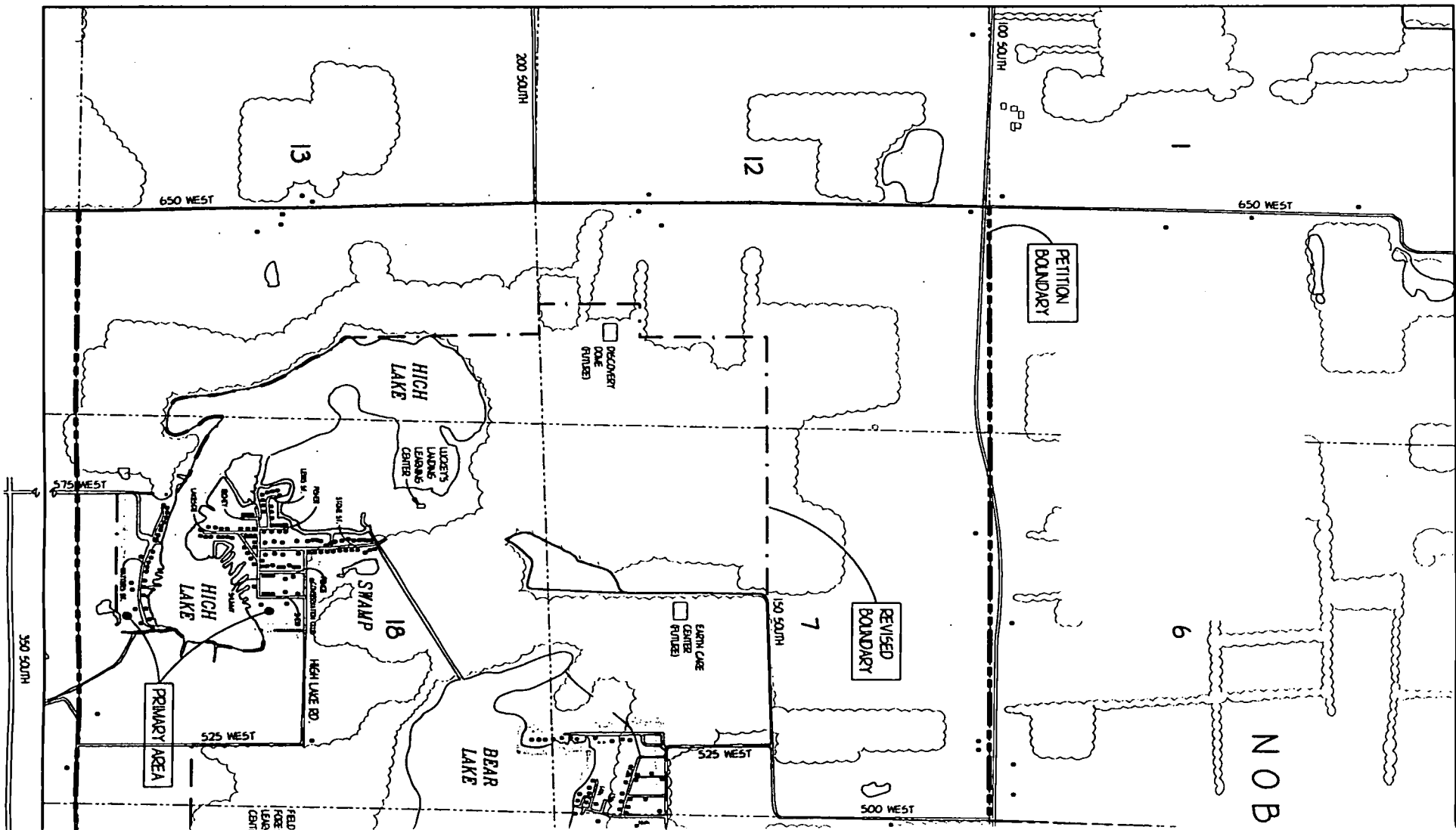
5. This resolution will be forwarded to IDEM for the purpose of modifying the petition request and requesting that these conditions be added to the final IDEM finding for the proposed district.

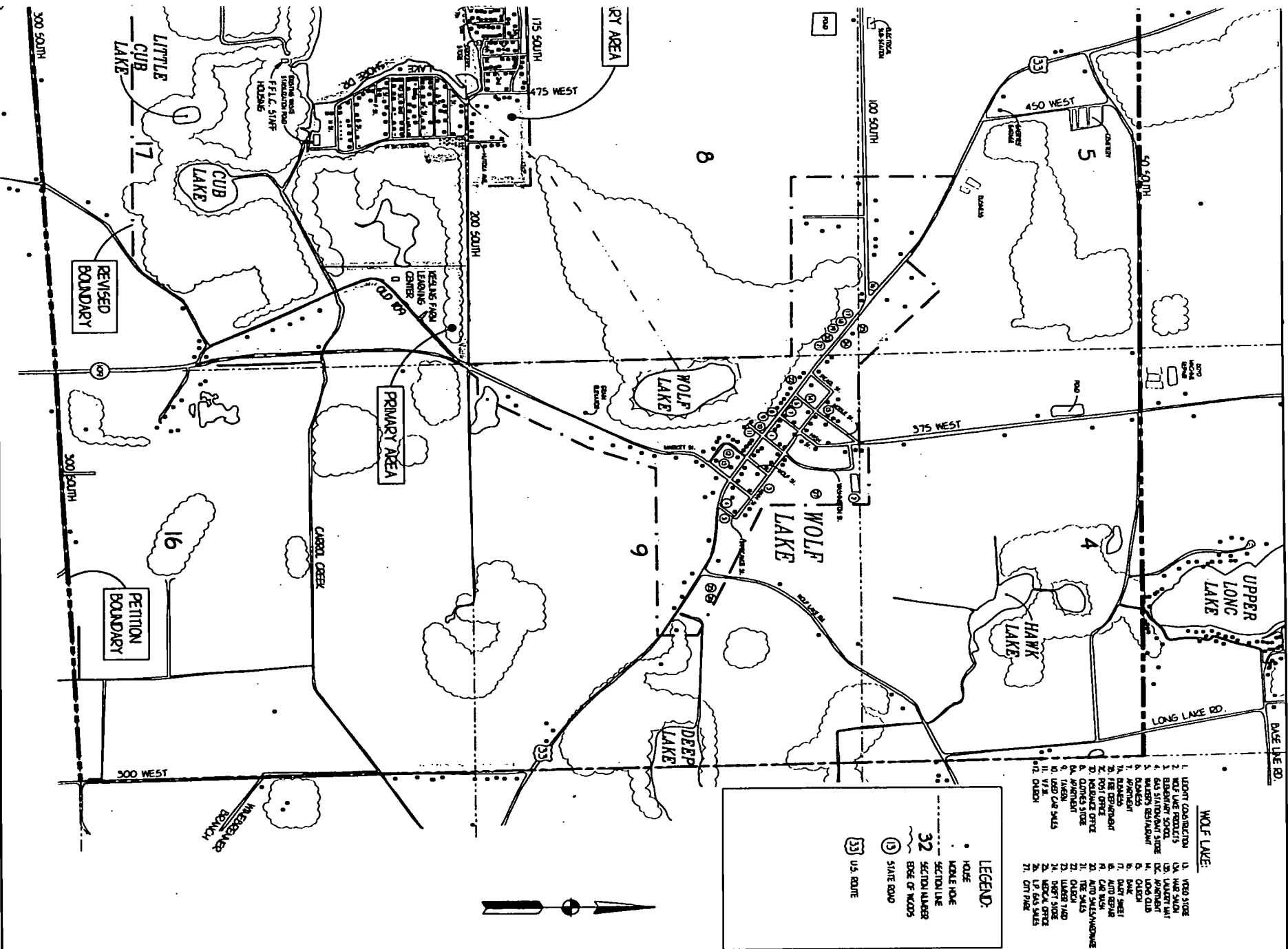
NOBLE COUNTY BOARD OF COMMISSIONERS

Greg G. LeBeau 4-15-96
Steven Jacob
Harold A. Trayer

ATTEST:

Anita L. Huff /tp





BEAR LAKE, INDIANA
PROPOSED BOUNDARY MAP

FIGURE 1