INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:)
THE FORMATION OF THE)
ARLINGTON REGIONAL WATER)
AND SEWER DISTRICT)

FINDINGS OF FACT AND RECOMMENDED ORDER OF THE HEARING OFFICER

FINDINGS OF FACT

1. On or about February 2, 2000, the Huntington County Council petitioned the Indiana Department of Environmental Management (IDEM) for an Order establishing a Regional Water and Sewer District to be known as the Arlington Regional Water and Sewer District in Huntington County.

2. The petition complies with the provisions of IC 13-26-2-3.

3. A public hearing was held September 12, 2000 in the Huntington Courthouse in Huntington, Indiana.

4. Notice of hearing was given by publication in the Harold Press, a newspaper of general circulation in Huntington County, for two (2) consecutive weeks prior to the hearing. The notice of the hearing was published on August 28, 2000, and September 8 & 12, 2000. Notice was also given by mail to each eligible entity involved.

5. The proposed name of the district is the Arlington Regional Water and Sewer District.

6. The principal office of the proposed district shall be located at 3316 East 722 North, Huntington, Indiana 46750. The trustees of the district may relocate the principal office upon written notice to the Indiana Department of Environmental Management.

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7. The purpose of the district includes both of the following:

A. To provide for the collection, treatment, and disposal of sewage inside the proposed district as described in Exhibit 1.

B. To provide a water supply for public use inside the proposed district as described in Exhibit 1.

8. SEWER DISTRICT

A. The sanitary sewage needs of the residents now residing within the proposed district are currently being provided for. An Emergency Order for receivership has been issued by the Indiana Utility Regulatory Commission. Currently McMahon Associates, Inc. is the consulting firm appointed to care for the utility until the district is formed.

B. The district is needed to facilitate a system to collect and dispose of the sanitary sewage of the residents.

C. Upon formation, the district will construct as needed, maintain and operate a system that will collect and treat the sanitary sewage of the residents of the district.

D. The proposed district boundaries for sewer purposes are described in Exhibit 1, which is attached hereto and incorporated by reference.

E. The estimated project cost for the proposed wastewater collection system and for a regionalized wastewater connection to the Town of Roanoke is $595,000.00.

F. The proposed District has no outstanding indebtedness for sewer service.

H. Projected construction costs analysis for wastewater system improvements, see Table v-ii

9. WATER

A. The District is needed to provide a water supply for public use inside the proposed district as described in Exhibit 1.

B. The proposed district has no outstanding indebtedness for water service.

C. The estimated project cost for the proposed water distribution system and for a water regionalized water connection to the Town of Roanoke is $801,00.00. Projected construction and operation cost analysis is included as Table v-i.

10. These proposed water and wastewater systems will service 66 residential units. The current estimated service area population is 200 persons.

11. The proposed district shall be governed by a Board of Trustees of three (3) members who each serve three year terms, with such terms to be staggered. The first member will be appointed by the Town Council President for the Town of Roanoke; the second member will be appointed by the Huntington County Council; and the third member will be appointed by the Huntington County Board of Commissioners.

12. The Board of Trustees shall provide sufficient bond for all officers, trustees or employees who have any power to disburse funds of the District.

13. The anticipated sources of funds to provide for the operating and maintenance cost of the District will be from monthly sewer and water user fees.

14. The District shall apply for available funding.

15. The District appears capable of accomplishing the purposes for which it is formed, in an economically feasible manner.

16. Within nine (9) months from the date of this Order, the District shall file with the Commissioner of the Indiana Department of Environmental Management, a detailed plan for the construction and operation of the District's facilities.

RECOMMENDED ORDER

The Hearing Officer recommends the following:

1. That a Regional Water and Sewer District, to be known as the Arlington Heights Regional Water and Sewer District, be organized as an independent political entity of the State of Indiana as a body corporate and politic.

2. That the purpose to be accomplished by said District is to provide for the collection, treatment, and disposal of sewage inside the district.

3. That the District shall include a part of Huntington County, Indiana, as described in Exhibit 1, attached hereto and incorporated by reference for all purposes.

4. The proposed district shall be governed by a Board of Trustees of three (3) members who each serve three year terms, with such terms to be staggered. The first member will be appointed by the Town Council President for the Town of Roanoke; the second member will be appointed by the Huntington County

Council; and the third member will be appointed by the Huntington County Board of Commissioners.

5. The Board of Trustees shall provide sufficient bond for all officers, trustees or employees who have any power to disburse funds of the District.

6. The District shall apply for available funding.

7. That within nine (9) months from the date of this Order, the District shall file with the Commissioner of the Indiana Department of Environmental Management, a detailed plan for the construction and operation of the District's facilities.

Dated: 11/27/2000 Hearing Officer: Lynne Newlon