INDIANA
Rural Community
Assistance Program

1845 West 18th Street
Indianapolis, IN 46202

317 638.9302
Indiana only 1 800 382.9895
fax: 317 634.7947

OFFICE
OF
WATER MANAGEMENT
IDEM

JUN 18 11 01 AM '04

To: Lynne Newlon
IDEM

From: Sarah Reymann
Indiana Rural Community Assistance Program

Date: June 16, 2004

RE: Bean Blossom Regional Sewer District petition

Dear Lynne:

Enclosed is the Bean Blossom Regional Sewer District petition for your review and approval. The petition was mailed to the following government entities with territory in the proposed district:

Brown County Commissioners
County Office Building
201 Locust Lane
Nashville, IN 47448

Brown County Council
County Office Building
201 Locust Lane
Nashville, IN 47448

Brown County Public Schools
P.O. Box 38
357 E. Main Street
Nashville, IN 47448

Brown County Public Library
205 Locust Lane
Nashville, IN 47448

Fruitdale Volunteer Fire Company
5200 State Road 135 N
Morgantown, IN 46160

Brown County Soil and Water District
P.O. Box 308
46 E. Gould Street
Nashville, IN 47448

Brown County Solid Waste District
P.O. Box 1308
Nashville, IN 47448

Jackson Township Trustee
P.O. Box 297
Morgantown, IN 46160

Jackson Township Advisory Board
P.O. Box 297
Morgantown, IN 46160

100% post-consumer recycled paper with soy ink

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Here is the information for the two newspapers and library in the area:

Brown County Democrat (weekly)
147 E. Main St.
Nashville, IN 47448
812-988-2221

The Herald Times (daily)
1900 S. Walnut St.
Bloomington, IN 47401
812-332-4401

Brown County Public Library
205 Locust Lane
Nashville, IN 47448
812-988-2850

The list of freeholders within the proposed district will be sent to you within a few weeks.

Please direct questions to Mark Davis (RCAP) or the designated petition contact person, Jim Drum (812-988-9573).

Thanks for all your help!!

Sarah

Sarah Reymann

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
STATE OF INDIANA

IN THE MATTER OF THE PETITION	)	
OF BROWN COUNTY, INDIANA	)	
TO FORM A REGIONAL SEWER	)	BEFORE THE COMMISSIONER
DISTRICT PURSUANT TO IC § 13-26	)	IDEM, STATE OF INDIANA

PETITION

Brown County Council petitions the Commissioners, Indiana Department of Environmental Management (IDEM), pursuant to IC § 13-26, for an order directing that a regional sewer district be organized as body corporate and politic. In support of this Petition alleges:

1. The proposed name of the regional sewer district shall be the Bean Blossom Regional Sewer District (RSD) of Brown County.

2. The designated contact person for the Petitioner for amendments and items relative to this Petition shall be Jim Drum (telephone: 812-988-9573), the Petitioner herein.

3. The principal office of the district shall be located at the Jackson Township Trustee's office. The mailing address is P.O. Box 297, Morgantown, IN 46160; the physical address is 5075 North State Road 135, Morgantown, IN 46160.

4. The following political subdivisions are in the proposed district or have jurisdiction in the district: Brown County Commissioners, Brown County Council, Jackson Township Trustee, Jackson Township Advisory Board, Brown County School District, Brown County Public Library, Brown County Solid Waste Management District, Brown County Soil and Water Conservation District, and the Fruitdale Volunteer Fire Department.

5. There is no state park or recreation area, forestland or a reservoir, nor any land owned by the State of Indiana in the proposed district.

6. The residents of Bean Blossom and the Brown County Health Department have long recognized the need for the proposed district. Sanitary sewage disposal in Bean Blossom is provided by the use of onsite residential septic systems, in varying degrees of working order. All of the homes and buildings are served by one of two public water systems providing service to Bean Blossom, either Nashville Water Utility or Brown County Water Utility, Inc.

   Contamination of surface water with *E. coli* has been well documented by the Brown County Health Department and the Indiana Department of Environmental Management. Samples taken from Bear Creek, Bean Blossom Creek, East and

North forks of Bean Blossom Creek, Lick Creek, Plum Creek, and Hoppers Branch all have samples that exceed the level (230 *E. coli*/100ml) that closes a public beach. Water sampling data and map is attached as **Exhibit A.**

Many property owners have attempted to repair systems and bring them into compliance with current state and local requirements, but are unable to do so due to small lot size or unfavorable soil and/or terrain conditions. This situation has forced some residences to utilize temporary means of disposal until a permanent solution can be found. However, a significant number of residences allow their untreated wastewater to surface discharge because no other option is available to them.

A letter of support from the Brown County Health Department is attached as **Exhibit B**. The water quality report referred to in the letter is **Exhibit A.**

7. The purpose to be accomplished by forming the district is the reduction of the public health hazard and pollution of the environment due to improper sewage disposal practices, by constructing a central sanitary sewer collection system and sending wastewater to a sewage treatment facility subject to final conclusions drawn from the review and approval of the Preliminary Engineering Report. A copy of the Preliminary Engineering Report, the recommendations and conclusions of the firm, is hereto attached as **Exhibit C** and is herein incorporated by reference.

8. Creation of the district will be conducive to the public health, safety, convenience and welfare of the residents of the district for the following reasons:
   A. No sanitary sewer system exists in the proposed district.
   B. Sewage collection, treatment, and disposal in the proposed district are currently being provided by individual septic systems that vary from properly functioning to failing to failed. In many instances, the repair or replacement of inadequate and failing septic systems is not feasible due to unfavorable soil and/or terrain conditions, small lot sizes, well locations, and other limiting factors.
   C. The only wastewater treatment facilities in Brown County are located in Nashville, Gnawbone, and Helmsburg; there are no other public or privately owned treatment works in the proposed district for treatment of sanitary sewage in Bean Blossom. To comply with IC 13-26-2-10(b)(3), the Bean Blossom RSD will notify Nashville, Gnawbone, and Helmsburg of any expansions of the Bean Blossom RSD boundaries by certified mail. The Bean Blossom RSD will also notify Nashville Water and Brown County Water Utility of changes to district boundaries.

9. There is no outstanding indebtedness for the proposed purpose of the district. A group of concerned citizens, organized as the "Friends of Bean Blossom", creatively financed a Preliminary Engineering Report by volunteer and local effort. Through their work, Bean Blossom was selected as a senior design project

by Rose-Hulman Civil Engineering Department to receive a no cost student engineering study. The Friends of Bean Blossom financed the rest of the study with local funds from the Brown County Community Foundation and South Central Indiana REMC. The absence of sanitary sewers has limited residential growth due to requirements of Brown County and the Indiana State Department of Health that prohibit additions to existing housing when proper sanitary disposal cannot be provided. Furthermore, the current situation of failing septic systems and discharging of untreated wastewater is contributing to the pollution of the environment in Bean Blossom and Jackson Township, and creating a hazard to welfare of the residents there.

10. The Bean Blossom RSD includes land within the northeast quarter section of Section 36, Township 10N, Range 2E; the northwest quarter section of Section 31, Township 10N, Range 3E; the southwest quarter section of Section 30, Township 10N, Range 3E, and; the southeast quarter section of Section 25 Township 10N, Range 2E of Jackson Township, Brown County, Indiana. The proposed boundary of the Bean Blossom RSD is shown on the attached parcel map (**Exhibit D**) and USGS topographical map (**Exhibit E**). The Bean Blossom RSD Board must approve any change to the boundary.

11. Upon receiving the IDEM order that confers formation, the Brown County Council shall appoint three (3) Trustees to serve as The Bean Blossom Regional Sewer District Board of Trustees until the Board decides to choose either **Treatment Option A** or **B** below.
    A. **Treatment Option A:** If sewage treatment is provided by a facility owned and operated by the district, the three (3) Trustees shall remain in office, and will serve a three (3) year term. Thereafter the Brown County Council shall appoint three (3) Trustees, all with four (4) year terms. Appointments shall take place on the first January meeting of the Board in the year of the appointment. Any vacancy caused by death, chronic illness, removal or resignation of a Trustee, prior to the expiration of the term, shall be filled within sixty (60) days by an appointment from the Brown County Council. All members of the Bean Blossom Regional Sewer District Board of Trustees must own property in Jackson Township, Brown County, Indiana.
    B. **Treatment Option B:** If sewage treatment is provided in cooperation and under written agreement with a municipality, then the Board shall consist of five (5) Trustees. Two (2) of the three (3) Trustees will remain in office; the third Brown County Council appointed Trustee will resign, but may be reappointed by another appointing body. Three (3) additional Trustees each with three (3) year terms shall be appointed to the district Board within sixty (60) days after the RSD enters an agreement with the cooperative municipality as follows: one (1) Trustee appointed by the Executive of the municipality, one (1) Trustee appointed by the fiscal body of Brown County (County Council), and one (1) Trustee appointed by the Executive of Brown County (County Commissioners) all in

compliance with IC § 13-26-4-5. Thereafter, the appointment schedule will be as follows: the Brown County Commissioners shall appoint one (1) Trustee, the Brown County Council shall appoint three (3) Trustees, and the Executive of the municipality shall appoint one (1) Trustee each with four (4) year terms. Appointments shall take place on the first January meeting of the Board in the year of the appointment. Any vacancy caused by death, chronic illness, removal or resignation of a Trustee, prior to the expiration of the term, shall be filled within sixty (60) days by an appointment from the original appointing body. At least two (2) members of the Bean Blossom Regional Sewer District Board of Trustees must own property in Jackson Township.

12. The initial estimates for the cost of construction of the sewer collection system and treatment options are set forth in the Preliminary Engineering Report, prepared by Ladd Engineering. The district is pursuing funding for the cost of accomplishing the purpose of the district, as outlined in the Preliminary Engineering Report, through the use of public funds including but not limited to the State Revolving Loan Fund, the Rural Development Loan and Grant Program, Department of Commerce Community Development Block Grants, and Build Indiana Funds.

13. Ladd Engineering has prepared initial cost estimates for accomplishing the purpose of the district, including construction and operation and maintenance. Ladd Engineering has also identified possible sources of funding for such costs, and estimates of rates and charges required for the district, as described in the Preliminary Engineering Report.

14. A copy of this petition has been filed with the Brown County Commissioners, Brown County Council, Jackson Township Trustee, Jackson Township Advisory Board, Brown County School District, Brown County Public Library, Brown County Solid Waste Management District, Brown County Soil and Water Conservation District, and the Fruitdale Volunteer Fire Department, who are the executives of the only governmental entities having territory within the proposed district on the ___ day of _____, 200__. Submitted this _____ day of _____, 200__.

15. This petition and exhibits are available for review at the Brown County Public Library, 205 Locust Lane, Nashville, IN 47448 (812) 988-2850 and the Jackson Township Trustee's office, P.O. Box 297, 5075 North State Road 135, Morgantown, IN 46160 (812) 988-2179.

The above Petition to form a sewer district in Jackson Township, Brown County, Indiana was APPROVED by the Brown County Council, this ___ day of _____, 200__.

BROWN COUNTY COUNCIL, BROWN COUNTY, INDIANA

David D. Critser

Tony Embrey

Stephen W. Gore

Arthur L. Knight

Diana McDonald-Biddle

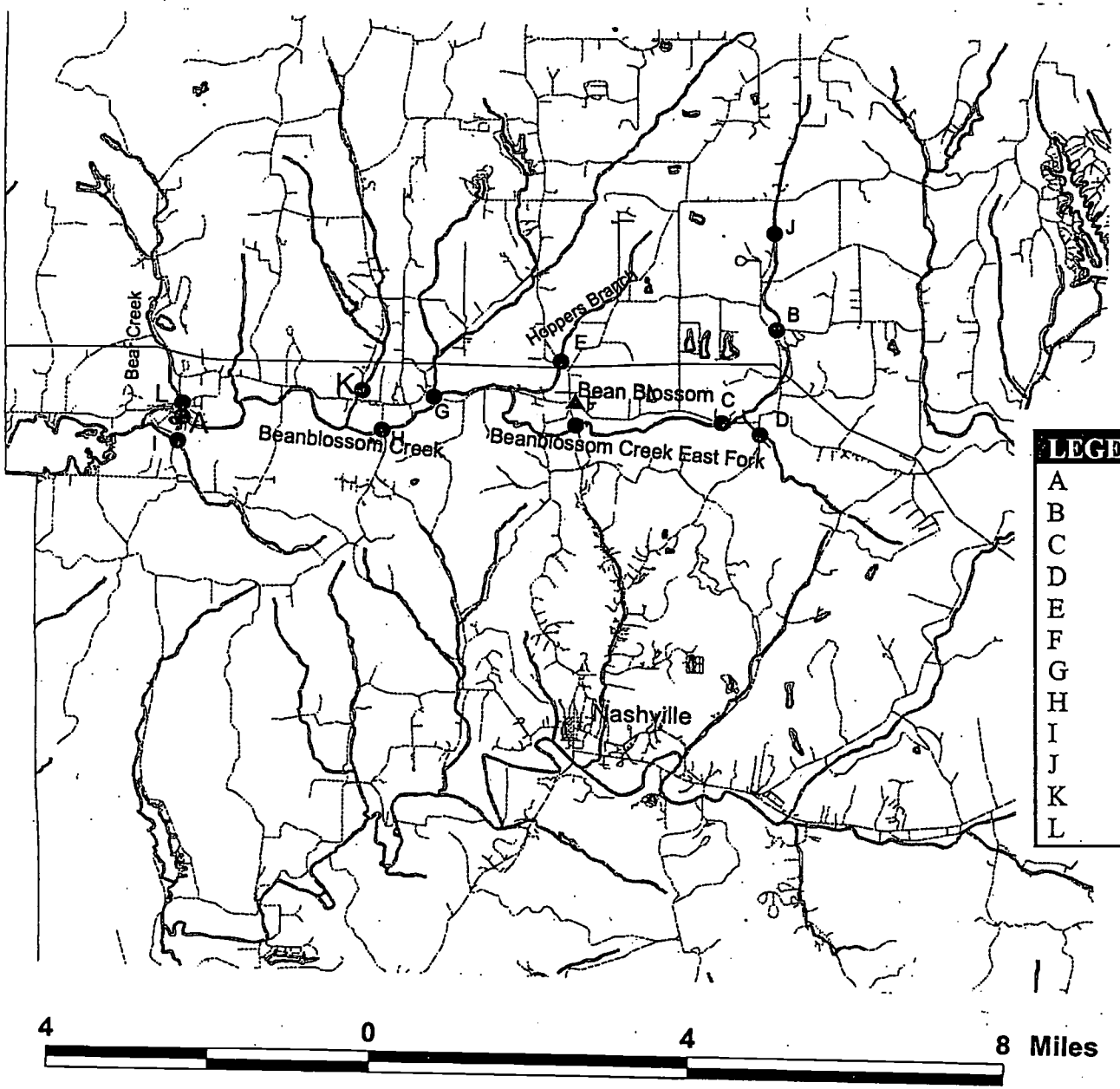
John Price

David L. Rudd

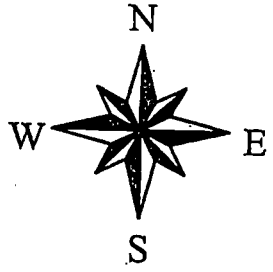
Exhibit A – Water sampling data and map
Exhibit B – Letter of support from the Brown County Health Dept
Exhibit C – Preliminary Engineering Report prepared by Ladd Engineering
Exhibit D – Parcel map depicting the Bean Blossom RSD proposed service area
Exhibit E – USGS Topographic map depicting the Bean Blossom RSD proposed service area

Bean Blossom Sampling Sites

EXHIBIT A

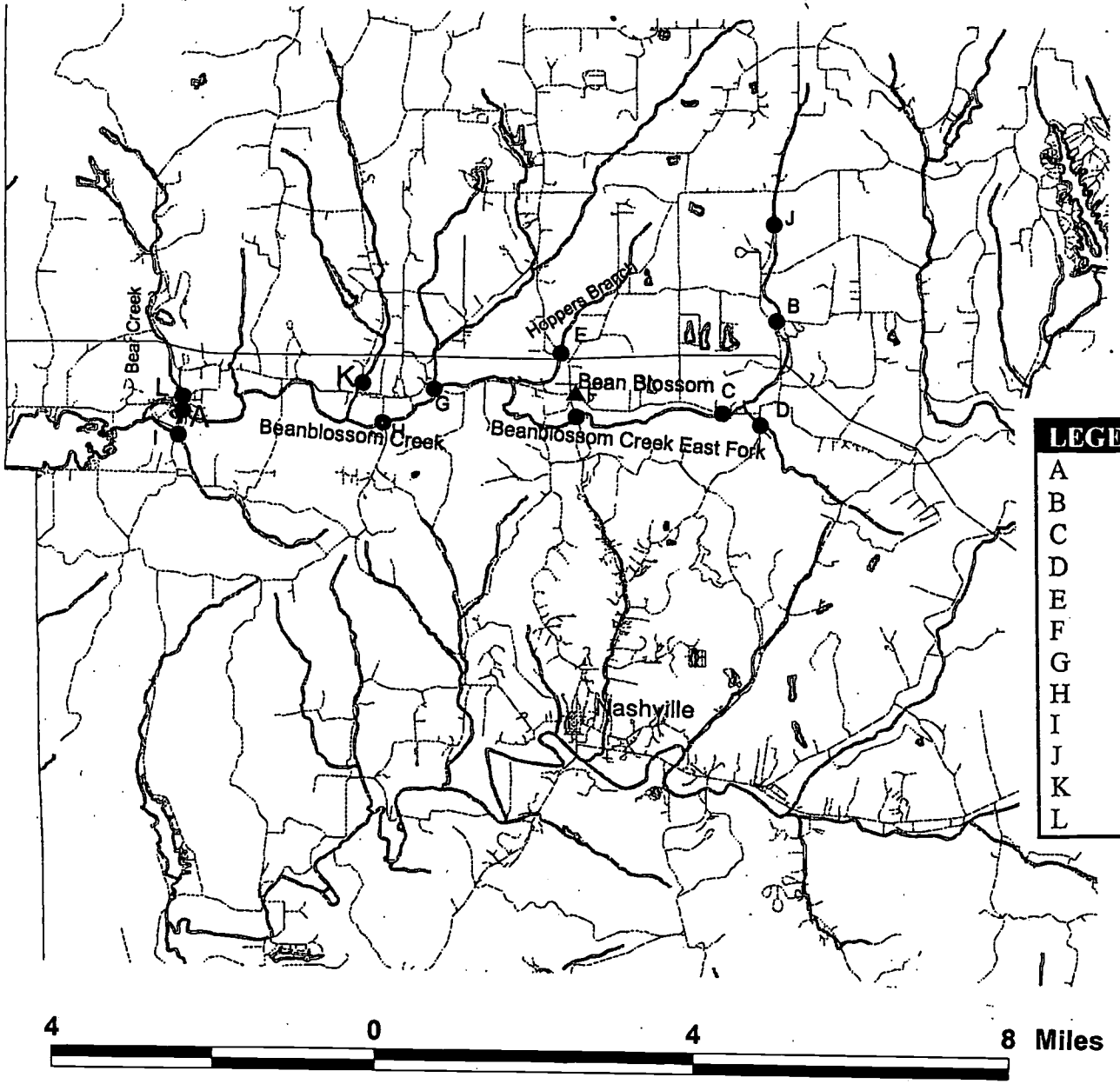


LEGEND	Stream Name and Sampling Location
A	Bean Blossom Creek-State Road 45
B	Bean Blossom Creek-Spurnica Rd.
C	Bean Blossom Creek-Gatesville Rd.
D	East Fork of Bean Blossom Creek-Bear Wallow Rd.
E	Hoppers Branch-State Road 135
F	Bean Blossom Creek-State Road 45
G	North Fork of Bean Blossom Creek-State Road 45
H	Bean Blossom Creek-Helmsburg Rd.
I	Plum Creek- State Road 45
J	Bean Blossom Creek-Upper Bean Blossom Rd.
K	Lick Creek- State Road 45
L	Bear Creek- North Shore Dr.



Bean Blossom Sampling Sites

EXHIBIT A



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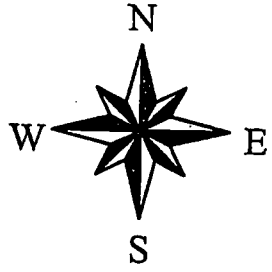


EXHIBIT A

Bean Blossom Water Sampling Data

Collected by the Indiana Dept. of Environmental Management

Sample ID	Stream Name and Sampling Location	Date	**E. coli /100ml
A	Bean Blossom Creek-State Road 45	9/10/01	2420
		9/17/01	100
		9/24/01	920
		10/1/01	37
		10/9/01	15
B	Bean Blossom Creek-Spurnica Rd.	9/10/01	60
		9/17/01	2400
		9/24/01	920
		10/1/01	30
		10/9/01	54
C	Bean Blossom Creek-Gatesville Rd.	9/10/01	56
		9/17/01	2420
		9/24/01	52
		10/1/01	2420
		10/9/01	99
D	East Fork of Bean Blossom Creek-Bear Wallow Rd.	9/10/01	38
		9/17/01	29
		9/24/01	51
		10/1/01	2400
		10/9/01	1100
E	Hoppers Branch-State Road 135	9/10/01	2420
		9/17/01	2420
		9/24/01	2420
		10/1/01	150
		10/9/01	110
F	Bean Blossom Creek-State Road 45	9/10/01	2420
		9/17/01	45
		9/24/01	24000
		10/1/01	120
		10/9/01	28
G	North Fork of Bean Blossom Creek-State Road 45	9/10/01	2420
		9/17/01	130
		9/24/01	820
		10/1/01	58
		10/9/01	93
H	Bean Blossom Creek-Helmsburg Rd.	9/10/01	2420
		9/17/01	770
		9/24/01	37000
		10/1/01	610
		10/9/01	370
I	Plum Creek- State Road 45	9/10/01	730
		9/17/01	37
		9/24/01	2420
		10/1/01	27
		10/9/01	76
J	Bean Blossom Creek-Upper Bean Blossom Rd.	9/10/01	160
		9/17/01	170
		9/24/01	1200
		10/1/01	85
		10/9/01	12
K	Lick Creek- State Road 45	9/10/01	2420
		9/17/01	60
		9/24/01	690
		10/1/01	180
		10/9/01	61

EXHIBIT E

Brown County
Department of Health

P.O. Box 281
Nashville IN 47448
812/988-2285
812/988-5601 FAX

Robert M. Seibel, M.D.
Health Officer

6/23/03

Ms. Sarah Reymann
Indiana Rural Community Assistance Program

Subject: The Bean Blossom Wastewater Project

This letter is written in support of the Bean Blossom Wastewater Project.

Attached are copies of a report done by The State of Indiana and recapped on 2/20/03. The report identifies numerous sites along Bean Blossom Creek with E.coli counts higher that 2400. Swimming pools are closed with counts equal to or greater than 230.

Failed or "straight-pipe systems" are a serious problem in Brown County. Many of our citizens are financially unable to afford to repair or install systems that will protect our citizens and the environment.

We need this project to assist our county in eliminating this problem.

Your support of this project is appreciated.

John Kennard, EHS

CC: Dr. Robert Seibel, Brown County Health Officer

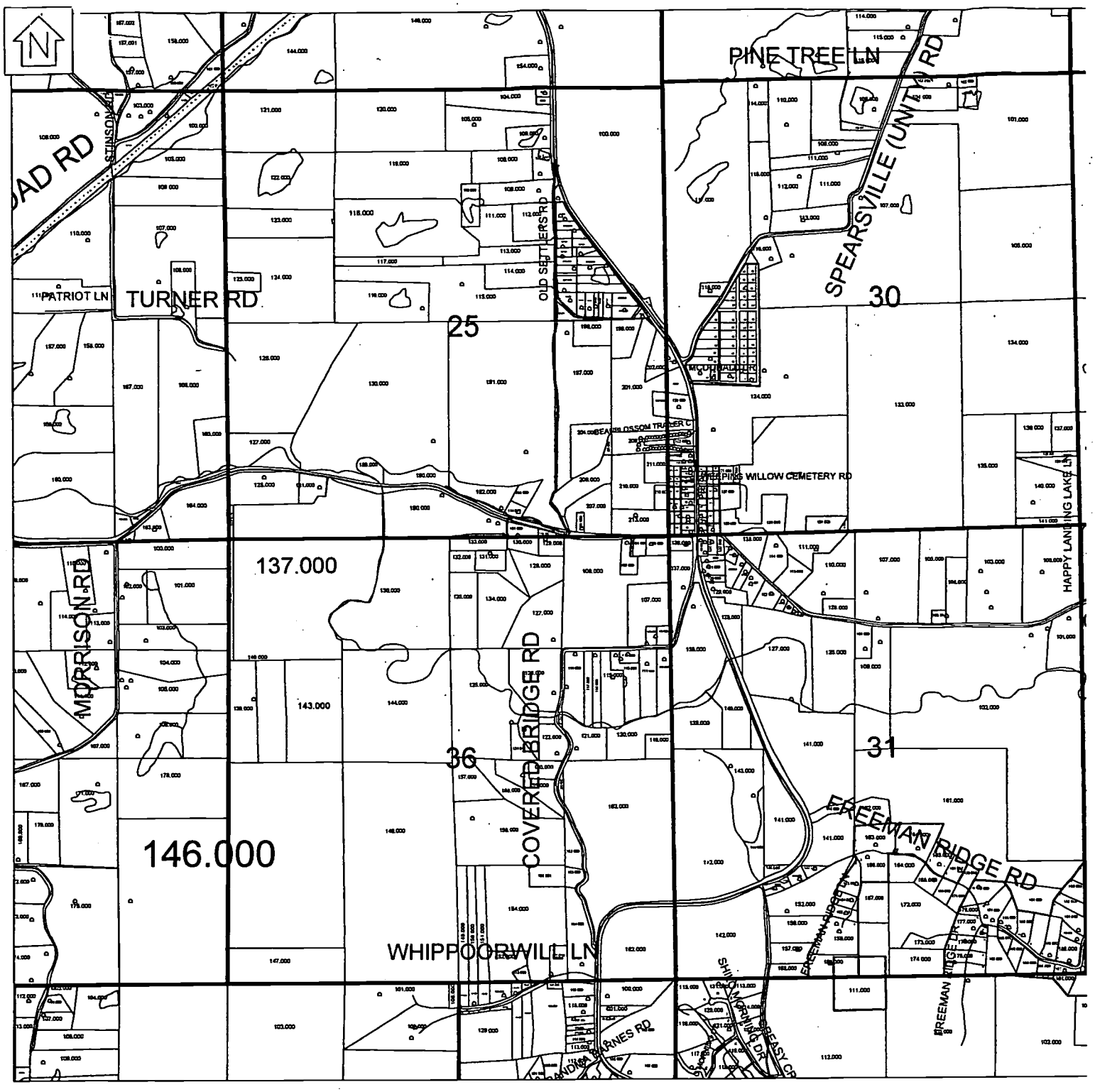
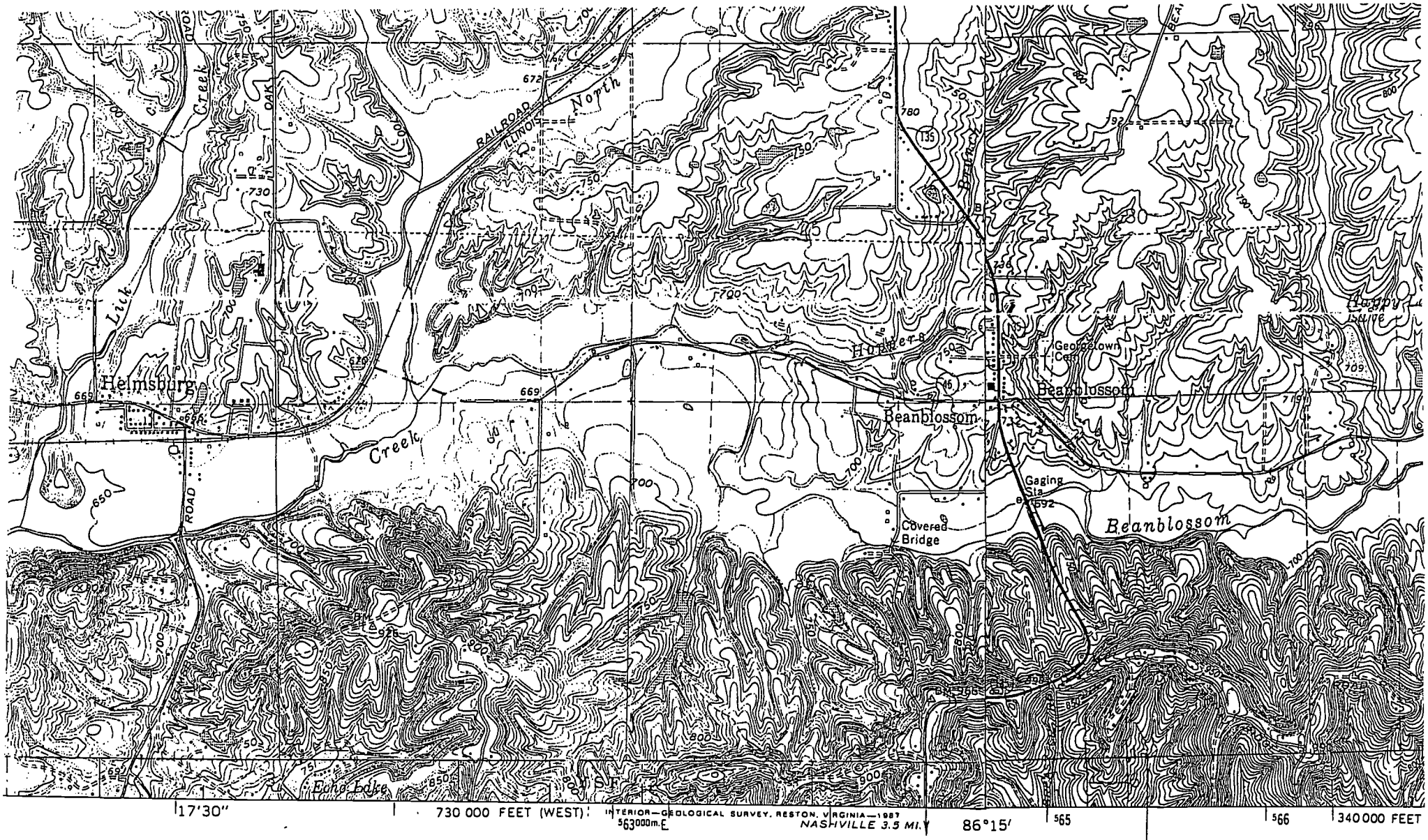

PINE TREE LN
SPEARSVILLE (UNITY) RD
TURNER RD
PATRIOT LN
OLD SETTLERS RD
25
30
BEARDSSOM TRUCKER CT
WEEPING WILLOW CEMETERY RD
HAPPY LANDING LAKE LN
MORRISON RD
137.000
143.000
COVERED BRIDGE RD
36
31
146.000
FREEMAN RIDGE RD
WHIPPOORWILL LN
SHINNYWORTH DR
BREASY CT
BARNES RD

EXHIBIT D



Produced by the U. S. Geological Survey
Revised in cooperation with State of Indiana
Department of Natural Resources

N

SCALE 1:24000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

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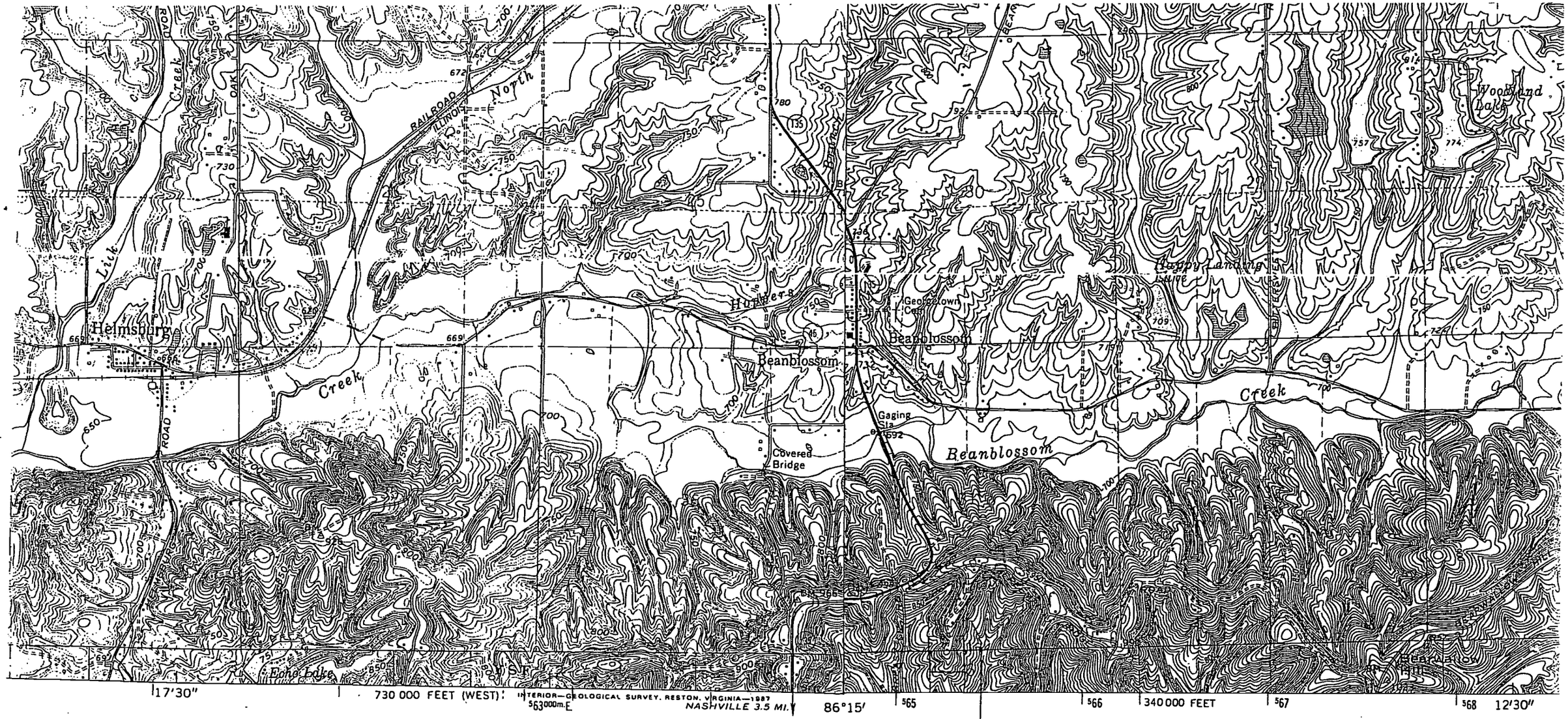
		9/17/01	60
		9/24/01	690
		10/1/01	180
		10/9/01	61
L	Bear Creek- North Shore Dr.	9/10/01	550
		9/17/01	42
		9/24/01	1300
		10/1/01	13
		10/9/01	35

**"Swimming pools are closed with counts equal to or greater than 230 E.coli/100ml."
See the Attached Letter of Support from the Brown County Health Department dated 6/23/03.



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SCALE 1:24 000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

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