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

IN THE MATTER OF	)
THE FORMATION OF THE	)
DEARBORN COUNTY	)
REGIONAL SEWER DISTRICT	)

PETITION TO AMEND ORDER ADOPTING THE FINDINGS OF FACT AND RECOMMENDED ORDER OF THE HEARING OFFICER

The Dearborn County Regional Sewer District tenders its Petition to Amend Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District as set forth herein. In support of this Petition, Petitioner states the following:

1. That the Dearborn County Regional Sewer District was formed by Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District on November 17, 2003, whereby such Order created the Dearborn County Regional Sewer District pursuant to IC 13-26-2-10 and based upon the Findings of Fact and Recommended Order of the Hearing Officer in this matter.

2. Paragraph 14 of the Hearing Officer's Findings of Fact and Recommended Order includes provisions establishing a governing board of seven (7) voting members for the Dearborn County Regional Sewer District.

3. Paragraph 14(A) of the Findings of Fact and Recommended Order states as follows:

> " A. The Dearborn County Commissioners shall appoint two (2) citizen (non-elected officials) members. One (1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Sparta, Hogan or Center Township; and one (1) of such two (2) members shall own real estate in Jackson, Kelso, York or Manchester Township. These terms expire December 31, 2004."

4. The Board supported these criteria in the Findings of Fact and Recommended Order because the Board seeks to represent all areas of Dearborn County on its Board.

5. The Board was appointed after the Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District and the Board held its first meeting on May 18, 2004.

6. The Board has gained experience in interpreting the governance provisions of the Finding of Fact and the Recommended Order since the board members' appointment.

7. The Board also has gained practical experience in interpreting and carrying out the above-referenced criteria of paragraph 14.A of the Findings of Fact and Recommended Order in attempting to find qualified volunteers to serve from the various townships.

8. In order to provide broader and more equitable representation of Dearborn County on the Board, the Board requests that Paragraph 14(A) of the Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District dated November 17, 2003 be amended to state the following:

> " 14. A. The Dearborn County Commissioners shall appoint two (2) citizen (non-elected officials) members. One (1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Hogan or Center Township; and one (1) of such two (2) members shall own real estate in Jackson, Kelso, York, Sparta or Manchester Township. These terms expire December 31, 2004."

THEREFORE, the Dearborn County Regional Sewer District Board respectfully requests that IDEM amend the Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District by deleting the following from paragraph 14 thereof:

> " A. The Dearborn County Commissioners shall appoint two (2) citizen (non-elected officials) members. One (1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Sparta, Hogan or Center Township; and one

(1) of such two (2) members shall own real estate in Jackson, Kelso, York or Manchester Township. These terms expire December 31, 2004."

FURTHERMORE, the Dearborn County Regional Sewer District Board respectfully requests that IDEM amend the Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District by adding the following to paragraph 14 thereof:

" A. The Dearborn County Commissioners shall appoint two (2) citizen (non-elected officials) members. One (1) of such two (2) members shall own real estate in Ceaser, Clay, Washington, Hogan or Center Township; and one (1) of such two (2) members shall own real estate in Jackson, Kelso, York, Sparta or Manchester Township. These terms expire December 31, 2004."

All other provisions of the Findings of Fact and Recommended Order of the Hearing Officer dated October 21, 2003 shall remain unchanged and all other provisions of the Order Adopting Findings of Fact and Recommended Order of the Hearing Officer for the Organization of the Dearborn County Regional Sewer District dated November 17, 2003 shall remain unchanged.

Approved this 17th day of February, 2005.

Mike Hankins

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Mike Hankins.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

Barry Pruss

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Barry Pruss.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

Brett Fehrman

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Brett Fehrman.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

Pat Holland

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Pat Holland.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

Rodney Dennerline

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Rodney Dennerline.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

Greg Vollmer

The foregoing instrument was acknowledged before me this 17th day of February, 2005, by Greg Vollmer.

Lisa deHart Lehner, Notary Public
Residing in Dearborn County, Indiana
Commission Expiration: August 19, 2008

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