INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

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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)
)
BIPPUS REGIONAL)
)
SEWER DISTRICT)

FINDINGS OF FACT AND RECOMMENDED ORDER OF THE HEARING OFFICER

FINDINGS OF FACT

1. On August 21, 1996, the Huntington County Commissioners and the Warren Township Trustee petitioned the Indiana Department of Environmental Management for an Order establishing a Regional Sewer District to be known as the Bippus Regional Sewer District in Huntington County.

2. Said Petition complies with the provisions of IC 13-26-2 (formerly IC 13-3-2-3).

3. A public hearing was held on April 16, 1997, in the Bippus Community Center, Bippus, Indiana.

4. Notice of said hearing was given by publication in newspapers of general circulation in Huntington County, in the Herald Press for two (2) consecutive weeks prior to said hearing. Notice was also given by mail to each eligible entity involved.

5. The proposed name of the District is the Bippus Regional Sewer District.

6. The principal offices of the proposed District will be c/o Vince Hoover, 8108 W Bracken Road, Huntington, Indiana 46750.

7. The sanitary sewage needs of those residents now residing within such proposed District are currently being met with individual and private septic systems, some of which are inadequate and failing.

8. Upon formation, the District will construct and operate a sanitary sewage system that will collect and provide for the treatment of the sanitary sewage of the residents of such District.

9. Such District is needed to facilitate the construction of a system to collect and dispose of the sanitary-sewage of the residents.

10. The current method of collection and disposal of the sanitary sewage of the residents of such proposed District is affecting and can affect detrimentally the water quality and public health of the area of the proposed District.

11. The residents of the proposed District currently obtain their water for drinking and other personal uses from wells, which can be affected by failed septic systems.

12. The proposed District will include the unincorporated Town of Bippus as follows:

> Part of the SE 1/4 of Section 21, part of SW 1/4 of Section 22, part of the NW 1/4 of Section 27 and a part of the NE 1/4 of Section 28, all being in T29N, R8E, of the 2nd P.M.; and being at the crossroads of State Road 105 and County Road 800 North with said crossroads being at 40° 56' 40" of Latitude and 85° 37' 30" of Longitude; all being in Warren Township of Huntington County, Indiana; and limited to the attached list of parcel numbers identified as Exhibit "A".

EXHIBIT "A"

011-00137-00	011-00088-00	011-00520-00	011-00015-00	011-00009-00
011-00251-00	011-00039-00	011-00423-00	011-00016-00	011-00253-00
011-00253-00	011-00104-00	011-00422-00	011-00013-00	011-00183-00
011-00252-00	011-00038-00	011-00420-00	011-00012-00	011-00328-00
011-00371-00	011-00037-00	011-00421-00	011-00070-00	011-00476-00
011-00008-00	011-00468-00	011-00255-00	011-00069-00	011-00201-04
011-00285-00	011-00469-00	011-00256-00	011-00071-00	011-00522-00
011-00232-00	011-00471-00	011-00254-00	011-00068-00	011-00286-00
011-00400-00	011-00434-00	011-00201-01	011-00194-00	011-00330-00
011-00145-00	011-00432-00	011-00034-00	011-00188-00	011-00330-01
011-00273-00	011-00441-00	011-00290-00	011-00191-00	011-00046-00
011-00272-00	011-00442-00	011-00078-00	011-00193-00	011-00379-00
011-00057-00	011-00283-00	011-00452-02	011-00198-00	011-00169-00
011-00287-00	011-00139-00	011-00331-00	011-00189-00	011-00306-00
011-00077-00	011-00334-00	011-00507-00	011-00190-00	011-00340-00
011-00105-00	011-00333-00	011-00506-00	011-00196-00	011-00523-00
011-00044-00	011-00375-00	011-00505-00	011-00192-00	011-00344-00
011-00113-00	011-00376-00	011-00018-00	011-00197-00	011-00282-01
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011-00291-00	011-00466-00	011-00020-00	011-00345-00	011-00475-00
011-00416-00	011-00238-00	011-00021-00	011-00349-00	011-00011-00
011-00059-00	011-00163-00	011-00022-00	011-00341-00	011-00504-00
011-00109-00	011-00162-00	011-00023-00	011-00332-00	011-00089-00
011-00377-00	011-00120-00	011-00024-00	011-00335-00	011-00519-00
011-00100-00	011-00119-00	011-00025-00	011-00076-00	011-00014-00
011-00445-00	011-00118-00	011-00452-01	011-00342-00	011-00378-00
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011-00169-00	011-00474-00	011-00180-00	011-00381-00	

13. There is no outstanding indebtedness currently in the proposed District for the purpose of collection and treatment of wastewater.

14. The proposed district shall be governed by a Board of Trustees of three (3) members. The Board of Trustees of Warren Township shall appoint the three (3) member Board of Trustees for the Bippus Regional Sewer District. Each appointee shall serve a term of four (4) years.

15. The initial project being planned for the District includes the construction and operation of a conventional gravity sewer system which will transport the waste to a lagoon system for treatment. The estimated construction cost is $1,299,900.00. The average monthly per household user fee is projected to be between $41.00 and $93.00.

16. Funding for the project being planned for the Bippus RSD will come from the Huntington County Health Department for preliminary legal fees and the RSD will apply for grants and loans to pay for the project.

17. The anticipated sources of funds to provide for the operating and maintenance costs of the District will be from user fees charged to each person connected to the sewer system.

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

RECOMMENDED ORDER

The Hearing Officer recommends the following:

1. That a Regional Sewer District, to be known as the Bippus Regional 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, in Warren Township, and is comprised of the unincorporated Town of Bippus described as follows:

> Part of the SE 1/4 of Section 21, part of SW 1/4 of Section 22, part of the NW 1/4 of Section 27 and a part of the NE 1/4 of Section 28, all being in T29N, R8E, of the 2nd P.M.; and being at the crossroads of State Road 105 and County Road 800 North with said crossroads being at 40° 56' 40" of Latitude and 85° 37' 30" of

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4. The proposed district shall be governed by a Board of Trustees of three (3) members. The Board of Trustees of Warren Township shall appoint the three (3) member Board of Trustees for the Bippus Regional Sewer District. Each appointee shall serve a term of four (4) years.

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

6. 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: September 29, 1997 Hearing Officer: Greg Glass