PETITION FOR THE ORGANIZATION OF BRINGHURST

REGIONAL SEWER DISTRICT

TO:
Mr. Oral H. Hert, Technical Secretary
Indiana Stream Pollution Control Board

FROM:
Citizens of Bringhurst

WHEREAS, a number of citizens of the Bringhurst area have expressed an interest in creating a regional sewer district; and,

WHEREAS, following a duly publicized public meeting there was a consensus of all those in attendance that the Bringhurst area would benefit from such a regional sewer district; and,

WHEREAS, the regional area is not now served by a sewer district; and,

WHEREAS, the new regional sewer district proposed herein will provide for the collection, treatment and disposal of sewage within and without the district;

NOW, THEREFORE, it is the consensus of the residents of the area of Bringhurst, being within the County of Carroll, the State of Indiana, that a new sewage district be created and authorized by the Indiana Stream Pollution Control Board as follows:

1. Proposed name of District: The proposed name of the sewage district is the "Bringhurst Regional Sewer District", hereinafter referred to as "the District".

2. Principal office location: The principal office location of the district will be within the residential area of Bringhurst, in Monroe Township, Carroll County, Indiana.

3. Need for proposed District: The proposed district is required in order to collect, treat and dispose of sewage from the residential and commercial area of Bringhurst. The sewage district will serve approximately 100 potential residential dwellings, 5 business or commercial users.

4. Purpose to be accomplished: The sewage service district will accomplish the purpose of making available the political vehicle whereby said sewer facilities

can be provided and funded, where the same are not now available.

5. Effect on the public health, safety, convenience and/or welfare: With the concentration of the above referenced number of residential dwellings, commercial users, the proposed regional sewage District will serve the public interest in that the public health and safety will be enhanced not only within the regional sewer District but also any and all areas which are now receiving or come into contact with a drainage districts that originate or traverse the proposed regional sewer District.

6. Current sewage treatment: The Bringhurst area is now largely served by individual septic systems many with off-lot discharges and several discharge directly to Bachelor Run Creek, via Montgomery, Kuns and Ayres Drains.

7. Description of the territory to be included in the proposed sewer service district: A description of the territory to be included in the proposed sewer service district is attached hereto and marked as Exhibit "A" and made a part hereof by reference.

8. Proposed manner of selection, number and term of the Board of Trustees of said district: It is proposed that the Board of Trustees of said District will consist of three members whose term shall be for four years with the same to be selected as follows:

(a) two (2) trustees selected by the users of the sewer district; and,

(b) one (1) trustee selected by the Board of Trustees of the Town of Flora.

Said trustees to be named by said bodies for said four (4) year terms, with the terms commencing as soon as practicable following the approval of the District by the Stream Pollution Control Board.

9. Interim financing pending receipt from sale of bonds: The users of Bringhurst Sewer District have agreed to donate funds which donations shall be applied towards any necessary sewer tap but which funds will be required prior to the receipt of the proceeds from the sale of bonds. It is further proposed that if contributions are inadequate, a loan will be obtained from a financial institution.

10. Cost estimates: The estimates of the cost to accomplish the purposes of the District are included in Exhibit "B", which is attached hereto and made a part hereof by reference.

11. Operation and maintenance of facilities cost estimates: The estimates for the operation and maintenance of facilities are included in Exhibit "C" attached hereto and made a part hereof.

12. Sources of funding cost: The proposed cost for the District shall be funded according to the source of capital funds, attached hereto and included as Exhibit "C" and made a part hereof and by reference.

13. Estimates of the rates and charges: The estimate of the rates and charges required are included in Exhibit "C" attached hereto and made a part hereof by reference.

14. Operations and maintenace contract: It is proposed that the Sewer District do its own maintenance but that a contract be entered into with the Town of Flora as the Flora Sewage System is currently constructed to within approximately one-half mile of Bringhurst. (See written Agreement attached as Exhibit "D")

15. Trustees powers: That the trustees of the District be authorized to borrow money for the purposes of carrying on the duties from the District from any Bank and to issue notes and securities thereof; and that the trustees of the District be authorized to issue revenue bonds as provided in the act for the purposes of the District; and that the trustees of the District be authorized to contract with any user or governmental unit; that the District and the trustees be given the powers to do everything necessary, proper, advisable or convenient for the accomplishment of the objects or in the furtherance of any power set forth under the acts of the Indiana General Assembly.

16. That there is no existing indebtedness in the proposed District for the proposed purpose.

WHEREFORE, your petitioners pray that the Bringhurst Regional Sewer District be funded and that the relief herein prayed for be granted and all other relief appearing proper to the Stream Pollution Board of the State of Indiana.

Submitted this 6th day of December, 1979, in Bringhurst.

MONROE TOWNSHIP

By: Brucelle Northcutt
Brucelle Northcutt - Trustee

ATTEST:
John H. Cayres

Carol D. Collins
Carol D. Collins

M. D. McCracken
M. D. McCracken

Terry L. Cossairt
Terry Cossairt

BISHOP, BISHOP & BISHOP
LAW OFFICES
FLORA, INDIANA

Doris Duff

Advisory Board

Butch Denny
Batch Denny

Charles Pettit
Charles Pettit

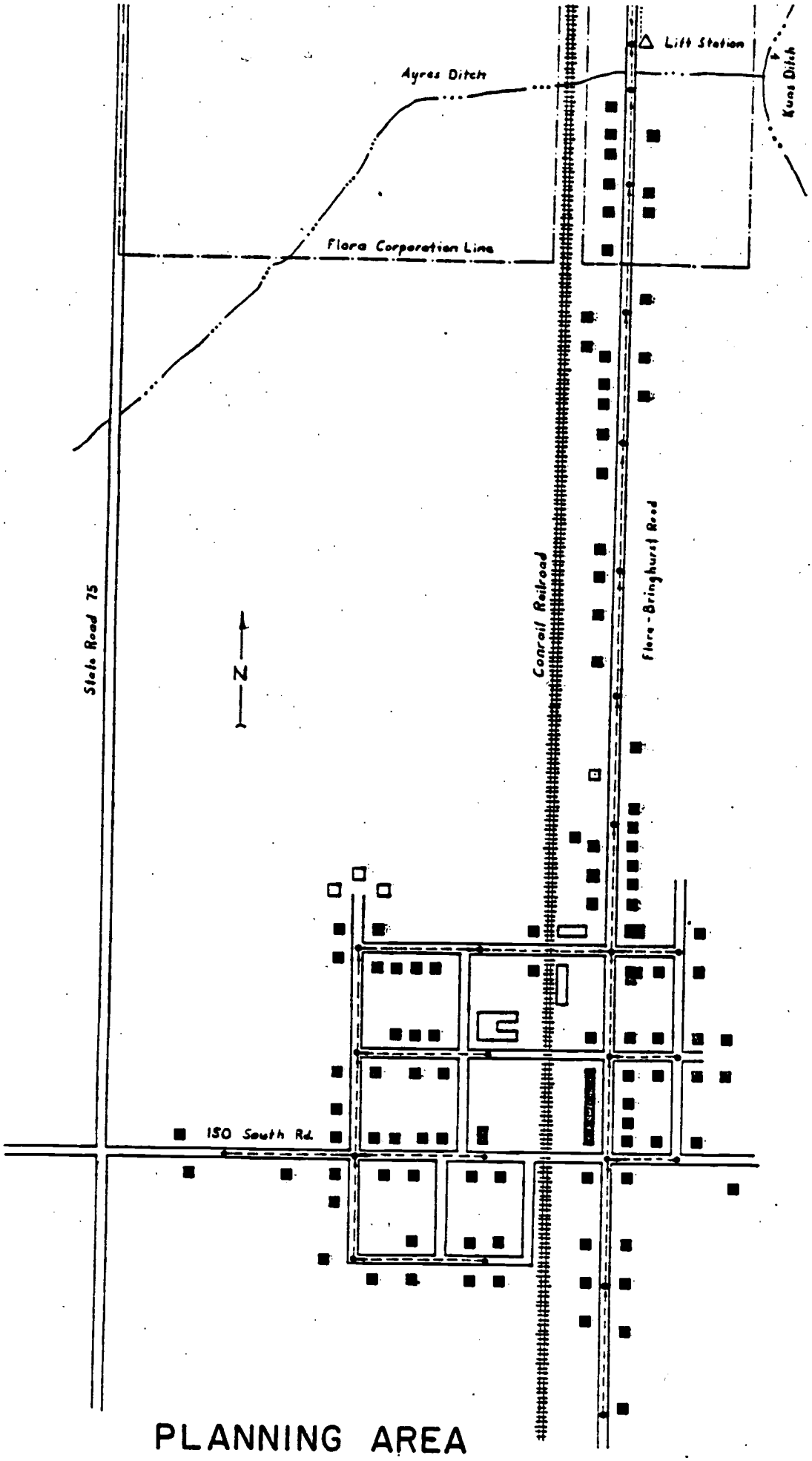
Corwin Heffner
Corwin Heffner

J. C. Marcum
J. C. Marcum

Cullan M. Eikenberry
Cullan Eikenberry

Proposed Bringhurst Regional Sewer
District Steering Committee

BISHOP, BISHOP & BISHOP
LAW OFFICES
FLORA, INDIANA



PLANNING AREA

VILLAGE OF BRINGHURST

PRILIMINARY SEWER LAYOUT

EXHIBIT A

BRINGHURST

Quantity	Description	Unit Cost	Total Cost
1200	8" Sewer 0'-6'	15.00	$ 18,000
1200	8" Sewer 6'-8'	17.50	21,000
1200	8" Sewer 8'-12'	20.00	24,000
400	8" Sewer 12'-16'	23.00	9,200
1200	6" Building Sewer	12.00	14,400
110	6" x 8" Wyes or Tees	45.00	4,950
22	Standard Manholes	550.00	12,100
30	Additional M.H. Depth	40.00	1,200
1	Railroad Crossing	10,000.00	10,000
1	Additional Lift Station Capacity	11,000.00	11,000
2400	Additional 4-inch PVC Force Main	9.00	21,600
4000	Granular Backfill	5.00	20,000
1500	LF Pavement Replacement	10.00	15,000
	Sub-Total Construction Costs		$182,450
	Construction Contingencies		18,250
	Total Construction Costs		$200,700
	Engineering Fees		20,600
	Project Representation		10,000
	Legal and Fiscal		6,000
	Administrative		2,000
	Project Contingencies		1,700
	*Total Project Cost		$241,000

*Interest not included

EXHIBIT B

Estimated Project Costs

	Federal	State	Flora	Bringhurst	Total
Construction Cost WWTP	$ 696,300	$ 92,840	$134,190	$11,670	$ 935,000
Construction Cost New Sewers	639,455	85,260	146,980	30,105	901,800
Total Construction Cost	$1,335,755	$178,100	$281,170	$41,775	$1,836,800
Engineering Fees	118,755	15,750	19,660	4,050	157,560
Project Representation	110,050	14,670	19,570	2,440	146,730
Legal and Fiscal	0	0	23,800	7,200	31,000
Administrative	0	0	19,200	2,800	22,000
Plant Start-Up and O & M Manual, etc.	25,180	3,840	8,650	700	38,370
Total Project Cost	$1,589,083	$212,360	$372,050	$58,965	$2,232,460
Total Project Cost			$372,050	$58,965	
Rehabilitation Funds			222,050	0	
Estimated Loan Requirement			$150,000	$58,965	
Estimated Loan Requirement			$158,000	$58,965	
Cost Recovery Factor @ 5%			0.080	0.059	
Sub Total			$ 12,000	$ 3,480	
Additional Bond Coverage			1,200	320	
Annual Loan Payment			$ 13,200	$ 3,800	
Annual Loan Payment			$ 13,200	$ 3,800	
Annual O & M plus deprec.			88,800	7,700	
Annual Financial Requirements			$102,000	$11,500	
Average Monthly Sewer Bill per User			$ 10.00	$ 12.00	
Cost per 1,000 gallons (sanitary only)			$ 1.80	$ 3.20	

EXHIBIT C

REGULAR BOARD MEETING
FIRST MONDAY OF EACH MONTH

TOWN OF FLORA

P. O. BOX 158

FLORA, INDIANA 46929

Mr. Oral H. Hert
Technical Secretary
Indiana Stream Pollution Control Board
Indiana Department of Health
1330 West Michigan Street
Indianapolis, Indiana 46206

RE: Petition For Organization of
Bringhurst Regional Sewer District

Dear Mr. Hert:

This is to advise you that the Board of Trustees of the Town of Flora have agreed to accept and treat the waste water from the unincorporated Village of Bringhurst and surrounding area if the Bringhurst Regional Sewer District is established.

We, the Steering Committee agree that in event we are successful in organizing the Bringhurst Regional Sewer District for the Village of Bringhurst and surrounding area, we will use the Flora waste water treatment facilities.

WITNESS our hands on this 7th day of December, 1979.

BOARD OF TRUSTEES, TOWN OF FLORA

By: John A. Bickel

By: Robert O Jalen

By: Richard Lander

ATTEST:

Dolores Hoffman
Clerk-Treasurer

PROPOSED BRINGHURST REGIONAL SEWER DISTRICT STEERING COMMITTEE

Butch Denny

Mark McCracken

Corwin Hefner

Paul D. Collins

Charles Pettit

J R Marcum

Jerry L. Cosart

Cullen M. Eikenberry

EXHIBIT D

STATE OF INDIANA

STREAM POLLUTION CONTROL BOARD

INDIANAPOLIS 46206

1330 West Michigan Street

December 27, 1979

Mr. Dick N. Bishop
Bishop, Bishop and Bishop
P.O. Box 419
South Center Street
Flora, IN 46929

Dear Mr. Bishop:

Re: Petition for Organization of
Bringhurst Regional Sewer District

This shall acknowledge receipt of your letter dated December 11, 1979, and the enclosed Petition for Organization of the Bringhurst Regional Sewer District. This Petition was received by my office on December 12, 1979. We will advise you if any further information is required of you.

Very truly yours,

Oral H. Hert
Technical Secretary

cc: Mr. Paul Serguta
Mr. Wayne E. Penrod

file

STATE OF INDIANA

STREAM POLLUTION CONTROL BOARD

INDIANAPOLIS 46206

1330 West Michigan Street

January 21, 1980

Mr. Dick N. Bishop
Attorney at Law
P.O. Box 4
Flora, IN 46929

Dear Mr. Bishop:

Re: Formation of "Bringhurst Regional Sewer District"

Pursuant to our phone conversation of January 21, 1980, the following steps need to be taken prior to formation of the above District:

1. A copy of a file marked petition filed with the Carroll County Commissioners pursuant to IC 19-3-1.1-3.

2. The approval of the Carroll County Commissioners pursuant to IC 19-3-1.1-3.

3. A public hearing needs to be held within the District. You indicated that you will arrange a time and place for such hearing. You also indicated that you would probably not be available for such a hearing until sometime in March. Notice will be published by the Stream Board for two consecutive weeks in the Carroll Comet newspaper.

4. An accurate description of the territory to be included within the district must be provided. This need not be a legal description but should be definite enough to constitute proper notice. Newspaper publication cannot be given without this description which you indicated you will provide.

I would also like to take this opportunity to indicate two possible areas you may want to give some thought to prior to the hearing. Any final order by the Stream Board must make provision for the manner of selection of the trustees and for bonding for such trustees or any person authorized to dispurse District funds. The specifics of trustee selection are not set forth in the petition. This is not necessarily a defect of the petition, but the final order will need to address the specifics of selection, to wit: how will the users select the trustees; will the terms of the trustees be staggered, etc? The hearing would be a good opportunity to clarify and make recommendations on any specifics not set forth in the petition.

I would also direct your attention to IC 19-3-1.1-5 which sets forth certain requirements when the District plan contemplates sewage treatment by a municipality. The requirements of this section suggest that in such a case, the County Council and County Commissioners shall be able to appoint members of the Board of Trustees, in addition to the trustee designated by the municipality.

If I can be of any further assistance, please do not hesitate to contact me at AC 317/633-0706.

Very truly yours,

Joseph W. Karen
Hearing Officer

cc: Mr. Oral H. Hert
Mr. Brucelle Northcutt
Mr. Brent Miller
Mr. Dick Smigielski, CEWA

SUMMARY

Bringhurst Regional Sewer District
Petition for Formation

The Office of the Technical Secretary received a petition from the Monroe Township Trustee, and also signed by the Advisory Board and citizens of the Bringhurst area for the formation of a regional sewer district to be known as the "Bringhurst Regional Sewer District," pursuant to IC 19-3-1.1.

The Planning Section of the Division of Water Pollution Control has reviewed the petition and offers the following comments:

1. The petition for formation is a result of the Town of Flora's Step 1 planning effort.

2. The Environmental Protection Agency has required the formation of an entity before the Flora Wastewater Treatment Plant can be built.

The Legal Staff has reviewed the petition for legal sufficiency, and it is of the opinion that the petition substantially complies with the requirements of IC 19-3-1.1 and recommends the Board appoint a hearing officer to conduct a hearing on this matter.

cgpM/1 1/7/80