Offices:
P.O. Box 1809
Noblesville, IN 46061
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9839 N Co. Rd. 700E
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765-774-4486

800-458-5507
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# AMERICAN REPORTING SERVICE

April 9, 2001

OFFICE OF WATER MANAGEMENT IDEM
APR 10 3 47 PM '01

Lynne L. Newlon
Indiana Department of Environmental Management
Regional Water & Sewer District Coordinator
100 N. Senate Avenue
Indianapolis, IN 46206-6015

RE: 3/27/01 Public Hearing
Dawn Lake Regional Sewer and Water

Dear Ms. Newlon,

Enclosed it the transcript, and a copy transcript of the Dawn Lake Regional Sewer and Water Hearing recorded March 27, 2001.

Thank you for using American Reporting Service. If you have any questions or we can be of further assistance, please call at (317)773-9768 or (800)458-

Sincerely,

Nancy E. Cook

Nancy E. Cook
Court Reporter

Enc.

AMERICAN REPORTING SERVICE

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Noblesville, IN 46061
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800-458-5507
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STATE OF INDIANA )
) SS
COUNTY OF HUNTINGTON )

PROPOSED FORMATION OF THE DAWN LAKES
WATER AND SEWAGE DISTRICT

The public hearing held on behalf of the Indiana Department of Environmental Management in the above cause, was held at the Huntington County Courthouse, Huntington County, Indiana, on the 27th day of March, 2001.

# PUBLIC HEARING

1-800-458-5507

OFFICE
OF
WATER MANAGEMENT
IDEM
APR 10 3 47 PM '01

STATE OF INDIANA )
) SS
COUNTY OF HUNTINGTON )

PROPOSED FORMATION OF THE DAWN LAKES
WATER AND SEWAGE DISTRICT

A P P E A R A N C E S

BEFORE THE HEARING OFFICER:
Lynne L. Newlon
Indiana Department of Environmental Management
Regional Water & Sewer District Coordinator
100 N. Senate Avenue
Indianapolis, IN 46206-6015

FORM C-100 • LASER REPORTERS PAPER & MFG. CO 800-626-6313

STATE OF INDIANA )
) SS
COUNTY OF HUNTINGTON )

PROPOSED FORMATION OF THE DAWN LAKES
WATER AND SEWAGE DISTRICT

The public hearing held on behalf of the Indiana Department of Environmental Management at the Huntington County Courthouse, Huntington County, Indiana, on the 27th day of March, 2001, pursuant to statute with notice as to the time and place. This public hearing was held on behalf of the Indiana Department of Environmental Management for the purpose of a proposed formation of the Dawn Lakes Water and Sewage District.

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# I N D E X

COMMENTS BY THE HEARING OFFICER . . . . . 5

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HEARING OFFICER: Good evening. My name is Lynne Newlon and I'm a senior environmental manager in the Office of Water Quality in the Indiana Department of Environmental Management. I am the hearing officer for this hearing. The hearing this evening, March 27th, the year 2001, is before the Department of Environmental Management, henceforth referred to as either the Department or IDEM, in the matter of the proposed formation of the Dawn Lakes Regional Sewer District.

Oral statements will be heard this evening, however, written statements may be submitted to me at the hearing or mailed to, my cards are located over here with my address as well as my email address, Lynne Newlon, Indiana Department of Environmental Management, 100 North Senate, P.O. Box 6015, Indianapolis, Indiana, 46206-6015. For the record, notice of time and place of this hearing was given as provided by Indiana Code 13-26-2-6 by publication in the Harold Press and the Ft. Wayne Journal Gazette during the weeks of March 12th through the 16th, 2001 and March 19th through the 23rd, 2001.

Sign-in sheets have been provided. If you have not signed I would ask you to, please do so before you leave.

Indiana code13-26-2-3 sets out the requirements for the formation of the district. Rather than review the

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statues I would highlight these requirements. We strongly encourage the comments be limited to these requirements, as these will be comments most useful to IDEM in this decision. The statue requires the following:

That the petition be filed by an eligible entity, and the proposed district name and location of principal office be stated.

That the petition state the needs of the district , the purpose the district will accomplish and how the district will be conducive to public health, safety, convenience or welfare.

That the petition state how water supply and sewage collection are currently being provided, and how the current situation creates or adds to pollution or health hazards, or impedes development in the area.

That the petition state whether there is any outstanding indebtedness for the purpose proposed.

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That the petition accurately describe the territory to be included in the district and that the territory be so situated as to promote the public health, safety, convenience, or welfare by organization as a single district.

That the petition provide recommendations regarding the make-up of the board of trustees and the manner of selection.

That the petition state the plan for financing the cost of operation of the district until it receives revenues from operation or proceeds from bond sales.

That the petition state an estimate of costs of accomplishing the purpose of the district, an estimate of the costs of operating and maintaining the works, and the sources of funding of these costs, including estimates of the rates and charges to be required.

Again, the Department is extremely interested in any information you can provide with regard to these requirements.

All comments, both oral and written, will be reviewed by IDEM and carefully considered in making a

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decision on the matter.

If your testimony exceeds five minutes, we ask that you submit the remaining information to IDEM in writing before April 18th, 2001.

When I call your name, if you no longer wish to testify, please indicate such. Those who decide during the hearing that hey wish to testify and have not already will have an opportunity to speak at the close of the hearing.

Please speak clearly and remember this is being recorded. We mus remember one person to speak at the time. Thank you for your cooperation.

No one had signed up to speak, to give testimony but I will open it up to the floor if anyone would like to give testimony.

FINAL STATEMENT:

In closing I would like to remind everyone that written comments may be submitted to the Department before April 18th, 2001. Once again, the address where such comments can be sent is:

Lynne Newlon

Indiana Department of Environmental Management

100 North Senate Avenue, P.O. Box 6015

Indianapolis, Indiana 46206-6015

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These proceedings are now concluded. This cause is, therefore, adjourned until further notice from the Hearing Office.

HEARING OFFICER: Any other questions, concerns? Thank you for coming out tonight.

(OFF RECORD. THE HEARING IN THIS CAUSE WAS CONCLUDED.)

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OFFICE OF WATER MANAGEMENT IDEM
APR 10 3 47 PM '01

COUNTY OF HENRY )
)SS:
STATE OF INDIANA )

I, Nancy Cook, a Notary Public in and for the State of Indiana, do hereby certify that a public hearing was held in connection with the proposed formation of the Dawn Lake Regional Water and Sewage District now pending before the Indiana Department of Environmental Management. That the foregoing public hearing was taken down on behalf of the Indiana Department of Environmental Management in the above cause at the Huntington County Courthouse, Huntington, Huntington County, State of Indiana, on the 27thth day of March, 2001; that said public hearing was taken down by means of recording, and afterwards reduced to typewriting under my supervision.

I do further certify that I am a disinterested person in this cause of action, that I not a relative or attorney of any party, or otherwise interested in the event of this action, and am not in the employ of the attorneys for the respective parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this ___ day of _____, 2000.

_____

Nancy Cook, Notary Public
Resident of Henry County, Indiana
My Commission Expires 09/20/08.

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**Dawn Lakes Regional Sewer District Public Hearing March 27,2001**
**ATTENDANCE SHEET**

PLEASE PRINT

| Name: | Organization (if applicable): | Street: | City, State, Zip | Do you wish to speak? | e-mail |
|---|---|---|---|---|---|
| Don Kaufman Jahn | | 3139W. 915N. | Huntington, In. 46750 | No | |
| Charles Herring | | 1426 S. Jefferson St | Huntington IN 46750 | NO | |
| Mark Winkle | | 3071W. 915N | | | |
| Eric N. Zahm | | 9175N. 316W. | Htgn. In 46750 | No | |
| Michael McElhaney | Michael McElhaney | 3124W-915N | Hgt. IN 46750 | No | |
| [illegible] | MIKE STOBB | 9075N. 306W. | Htn. In 46750 | No | |
| Mike Mettler | Health Dept. | Courthouse, Rm. 203 | " " " | NO | |
| DEAN MILLER | | 3232W 800N | NGYN IN 46750 | NO | |
| | | | | | |
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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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*Frank O'Bannon*
Governor

*Lori F. Kaplan*
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.state.in.us/idem

# Notice

You are hereby notified that the Huntington County Council has petitioned the Commissioner of the Indiana Department of Environmental Management for an order establishing a Regional Sewer District to be known as the "Dawn Lakes Sewer District".

A public hearing will be held on March 27, 2001, at 6:30pm, in the Huntington County Courthouse, Room G.A.R. (second floor), in Huntington, Indiana, to receive public comments on said Petition. Written comments will also be accepted for a period commencing immediately and ending on April 18, 2001, at the following address:

Ms. Lynne Newlon
Office of Water Quality
Indiana Department of Environmental Management
100 North Senate Ave., P. O. Box 6015
Indianapolis, Indiana 46206-6015

If you wish to receive notice of IDEM's decision on this matter, please submit a request in writing to Ms. Newlon at the above address.

For more information regarding the formation of regional water and sewer districts, see Indiana Code 13-26 (formerly 13-3-2). Additionally, a copy of the Petition to Form the Dawn Lakes Regional Water District is on file at the Huntington City Township Library in Huntington, Indiana, for public viewing.

Individuals with disabilities requiring reasonable accommodations for participation in this event should contact the Indiana Department of Environmental Management Americans with Disabilities Act (ADA) Coordinator at:

Brandye Hendrickson, ADA Coordinator
Indiana Department of Environmental Management
100 North Senate Ave., P. O. Box 6015
Indianapolis, Indiana 46206-6015

Please provide a minimum of five (5) days notification.

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www.state.in.us/idem

March 6, 2001

The Harold Press
Attn: Shira
7 N. Jefferson
Huntington, IN 46750

Dear Shira:

Re: Dawn Lakes Regional Sewer District

Enclosed please find a copy of a public notice regarding a public hearing concerning the formation of a Regional Sewer District. We request that you publish this Notice four times, twice each week, during the weeks of March 12-16, 2001, and March 19-23, 2001.

For billing, please send a notarized 99P form and clippings showing the date of publication to me at Indiana Department of Environmental Management, P. O. Box 6015, Indianapolis, IN 46206-6015. On the reverse side of your publisher claim, please be sure to include your Social Security or Federal Identification Number on the firs line below the statement: "In the sum of $...".

If you have any questions, please contact me at 317/233-0476.

Sincerely,

Lynne Newlon

Lynne Newlon
Regional District Coordinator
Office of Water Management

Enclosure

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Indianapolis, Indiana 46206-6015
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(800) 451-6027
www.state.in.us/idem

March 6, 2001

Fort Wayne Journal Gazette
Legal Notices
Attn: Connie
7 N. Jefferson
Huntington, IN 46750

Dear Connie:

Re: Dawn Lakes Regional Sewer District

Enclosed please find a copy of a public notice regarding a public hearing concerning the formation of a Regional Sewer District. We request that you publish this Notice four times, twice each week, during the weeks of March 12-16, 2001, and March 19-23, 2001.

For billing, please send a notarized 99P form and clippings showing the date of publication to me at Indiana Department of Environmental Management, P. O. Box 6015, Indianapolis, IN 46206-6015. On the reverse side of your publisher claim, please be sure to include your Social Security or Federal Identification Number on the firs line below the statement: "In the sum of $...".

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Sincerely,

Lynne Newlon

Lynne Newlon
Regional District Coordinator
Office of Water Management

Enclosure

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Fort Wayne Journal Gazette
Legal Notices
Attn: Connie
7 N. Jefferson
Huntington, IN 46750

Dear Connie:

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If you have any questions, please contact me at 317/233-0476.

Sincerely,

Lynne Newlon

Lynne Newlon
Regional District Coordinator
Office of Water Management

Enclosure

# HUNTINGTON HERALD-PRESS

7 N. Jefferson Street
Huntington, Indiana 46750
Phone: (219) 356-6700 Fax (219) 356-9026

**CLASSIFIED / LEGAL INVOICE**

FEDID # 35-1083401

Account #: a103780 Ad #: d5021580 Classification: 001 Rate: 00

Start Date: 03/12/01 Stop Date: 03/22/01 Inches: 15.00 Lines: 37 Times: 4

Description: 3129/IDEM Dawn Lakes

**TOTAL AMOUNT DUE:** 117.88

Indiana Dept. Environmental Mgmnt
PO Box 6015
Indianapolis IN 46206-6015

**HUNTINGTON HERALD-PRESS**

Account #: a103780

Ad #: d5021580

Amount Paid: _____

Please return this portion w payment.

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