STATE OF INDIANA

STREAM POLLUTION CONTROL BOARD

INDIANAPOLIS 46206

1330 West Michigan Street
633-5467

IN THE MATTER OF THE PETITION OF)
THE DELAWARE COUNTY BOARD OF COUNTY)
COMMISSIONERS, STATE OF INDIANA, TO)
FORM A REGIONAL WASTEWATER DISTRICT)
PURSUANT TO IC 1971, 19-3-1.1, AS) CAUSE NO B-283
AMENDED, TO BE KNOWN AS THE "DELAWARE)
COUNTY REGIONAL WASTEWATER DISTRICT")

ORDER

Resolved: That the Stream Pollution Control Board of the State of Indiana accept the Findings of Fact and Recommendations of William C. Vaughn III, Hearing Officer, on the above-captioned matter, with the exception that the district not include any territory within the corporate limits of the Towns of Eaton, Yorktown, Albany, Selma and Gaston, Delaware County, Indiana, and that the Board adopt the Findings of Fact and Recommendations, as amended, as its own and that the final Order be issued.

NOW, THEREFORE, IT IS ORDERED by the Stream Pollution Control Board of the State of Indiana:

1. That the petition be approved.

2. That the district, to be known as the "Delaware County Regional Wastewater District," be organized as an independent political entity of the State of Indiana.

3. That the purpose of the district shall be the collection and treatment of sewage and all other lawful activities as permitted by IC 1971, 19-3-1.1.

4. That the district shall include all the territory in Delaware County except the territory currently being serviced by the Muncie Sanitary District, the two areas proposed to be annexed by the Muncie Sanitary District, and the territory within the corporate limits of the Towns of Eaton, Yorktown, Albany, Gaston, and the sewer service area of the Town of Selma, Delaware County, Indiana.

5. That the district be governed by a seven-member Board of Trustees to be appointed as follows:

(a) Five members will be voting members while two members will be non-voting ex-officio members one of whom will be the Delaware County Surveyor and the other will be a representative of the Delaware County Board of Health.

(b) It is recommended that three of the voting members of said Board of Trustees be appointed by the duly elected, qualified and acting Board of County Commissioners of Delaware County, with each Trustee to be a resident freeholder, and appointed one from each of the three existing commissioner districts in Delaware County.

(c) The other two voting members should be appointed one by the Delaware County Council and one by the Delaware County Board of Health.

(d) The term of the voting members should be as follows:

(1) The three members appointed by the County Commissioners should be appointed for an initial term as follows: one member for a term of two years, one member for a term of three years and one member for a term of four years.

(2) The other two voting members should be appointed for an initial term of one year.

(3) The ex-officio members should be appointed for an initial term of four years.

Thereafter, appointments should be for terms of four (4) years each. Terms should expire on the first day of January of the year in which such terms are to expire.

6. That the Board of Trustees shall provide sufficient bond for all officers, trustees or employees who have any power to dispense funds of the district. Said bond, as a minimum, shall be in an amount equal to, plus 10% of, those funds anticipated to be received by the district during a fiscal year, divided by six (6) which amount shall be determined annually by the Board of Trustees.

7. That six months from the date of its creation, the Delaware County Regional Wastewater District shall file with the Stream Pollution Control Board, a detailed plan for the construction and operation of the district's facilities pursuant to IC 1971, 19-3-1.1-5(a).

Dated at Indianapolis, Indiana, this 20th day of January, 1976.

Oral H. Hert

Oral H. Hert
Technical Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

STREAM POLLUTION CONTROL BOARD
OF THE STATE OF INDIANA

CAUSE NO. B-283

CERTIFICATION

I hereby certify the attached Order was filed in the records of the Stream Pollution Control Board of the State of Indiana on the 20th day of January, 1976, and that this Order constitutes the final order of the Board in this Cause.

Oral H. Hert

Oral H. Hert, Technical Secretary
Stream Pollution Control Board
of the State of Indiana

Subscribed and sworn to before me, a notary public, in and for said County and State, this 7th day of June, 1979.

Sara F. Billion
Notary Public

My Commission Expires: September 17, 1980

CERTIFIED MAIL

Mr. Phillip Johnson, Chief
Environmental Division
Delaware County Board of Health
Room 207
Delaware County Building
Muncie, Indiana 47305

Dear Mr. Johnson:

Re: Delaware County Regional
Wastewater District
Cause No. B-283

On January 20, 1976, at its regularly scheduled meeting, the Stream Pollution Control Board of the State of Indiana, by motion made, duly seconded, and unanimously passed, adopted the Findings of Fact and Recommendations of Mr. William C. Vaughn III, Hearing Officer, with the exception that the territory to be included in the district will not include the Towns of Eaton, Yorktown, Albany, Gaston, and the sewer service area of the Town of Selma, and issued its Order, copy attached, to create the Delaware County Regional Wastewater District.

Dated at Indianapolis, Indiana, this 2nd day of February, 1976.

Very truly yours,

Oral H. Hert

Oral H. Hert
Technical Secretary

RGGrant
cc: Robert Holt
Hearing Commissioner