INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live

Evan Bayh
Governor
Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

Notice of Decision

You are hereby notified that the Commissioner of the Indiana Department of Environmental Management signed on October 29, 1996, the Dissolution Order the Geneva Township Regional Waste District, pursuant to IC 13-3-2-5(c), and based upon the Findings of Fact and Recommended Order of the hearing officer in this matter.

The Dissolution Order is on file at the Jennings County Public Library, 143 East Walnut, North Vernon, Indiana.

Pursuant to IC 13-3-2-5(e), IC 4-21.5-3-2, and IC 4-21.5-5-5, the final Order becomes effective thirty-three (33) days after service through the United States mail, unless a petition for judicial review is filed before or on the thirty-third (33th) day. If you wish to challenge this decision, standing and substantive requirements of the verified petition for review are specified in IC 4-21.5-5-3 and IC 4-21.5-5-7, respectively. Pursuant to IC 4-21.5-5-9, a person seeking judicial review of the final Order may, by filing a verified petition, request an order of the court staying the Order pending a decision by the court.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live

Evan Bayh
Governor
Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:)
)
THE DISSOLUTION OF THE)
GENEVA TOWNSHIP)
REGIONAL WASTE DISTRICT)

FINDINGS OF FACT

1. In a letter to the Indiana Department of Environmental Management dated August 28, 1996, Don Broadus, the former President of the Geneva Township Regional Waste District Board of Trustees, stated that the District has been inactive for several years.

2. Mr. Broadus also stated in his letter that those persons interested in the operation of the District have retired, moved out of the District, or are now deceased.

3. According to a May 10, 1995, letter from Corinne R. Finnerty, an attorney with the law firm which last represented the District, the District has been defunct for several years.

4. Ms. Finnerty also stated in her letter that the District never took action on its intended purpose of providing sewer service, and plans concerning such project are "now completely dead."

5. The Jennings County Commissioners have petitioned IDEM to form a regional sewer and water district, Jennings Northwest Regional Utilities, and have proposed that the territory of the Geneva Township Regional Waste District be included in the Jennings Northwest Regional Utilities District.

ORDER

Notice is hereby given that the Commissioner of the Indiana Department of Environmental Management (Commissioner) now determines that the Geneva Regional Township Waste District should now be ordered dissolved as a municipal corporation, pursuant to IC 13-26-6-4. Furthermore, the Commissioner orders that all assets owned by the District must be distributed

after the payment of liabilities.

Under IC 4-21.5-3-5(f), the Order becomes effective eighteen (18) days after the mailing of this notice. If you wish to challenge this decision, IC 4-21.5-3-7 requires that a petition for administrative review be filed. This petition describing your intent must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 West Market Street, Suite 618, Indianapolis, Indiana 46204, within eighteen days from the mailing of this notice. This petition must be filed in accordance with CI 4-21.5-3-7, and must include facts demonstrating that the petitioner is the applicant, a person aggrieved by the decision, or a person entitled to review by law.

Pursuant to IC 4-21.5-3-5-(d), the Office of Environmental Adjudication will provide the petitioner, or any other person requesting notice, with notice of prehearing conferences, preliminary hearings, hearing stays or orders disposing of the petition for review if a written request for such notice is submitted to the Office of Environmental Adjudication at the above address.

All of which is ORDERED at Indianapolis, Indiana, this 29th day of October, 1996.

Commissioner
Indiana Department of
Environmental Management

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Evan Bayh
Governor

~~Kathy Prosser~~
~~Commissioner~~
XXXXXXXX

Michael O'Connor
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

July 30, 1996

Corinne R. Finnerty
McConnell & Finnerty
38 North 5th Street
Post Office Box 90
North Vernon, Indiana 47265

Dear Ms. Finnerty:

Re: Geneva Regional Waste District

As discussed in our recent phone conversation, the Jennings County Commissioners have petitioned IDEM to establish the Jennings Northwest Regional Utilities ("Jennings Utilities"), a regional sewer and water district. The proposed area of the district includes the area of Geneva Township Regional Waste District ("Geneva District").

In a letter to the Indiana Department of Environmental Management (IDEM) on May 10, 1995, you stated that the Geneva District had not been functioning for several years. To officially dissolve the Geneva District, the IDEM requests that any former District board member(s), or your office on behalf of the District, submit a letter to the IDEM requesting dissolution of the District or stating that the District has abandoned its purpose. Please address the letter to my attention at the address on the letterhead above.

Please notify any former District board members that the IDEM will be conducting a public hearing regarding formation of Jennings Utilities on August 13, 1996, at 7:00 p.m. in the North Vernon Community Building. Additionally, comments regarding the formation may be submitted to IDEM through August 27, 1996.

If you have any question about this letter, please feel free to contact me at (317) 233-1211.

Sincerely,

Mylene Huybers
IDEM, Office of Legal Counsel

cc: Chris Janak, Bose McKinney & Evans

Law Offices
McCONNELL & FINNERTY
38 North 5th Street
Post Office Box 90
North Vernon, Indiana 47265

HAROLD H. McCONNELL
CORINNE R. FINNERTY
(PROFESSIONAL CORPORATION)

ALAN L. MARSHALL
ASSOCIATE

Telephone
(812) 346-5201
Fax
(812) 346-8470

RECEIVED
MAY 12 1995
IDEM - OFFICE OF
WATER MANAGEMENT

May 10, 1995

Mr. William J. Feller
Facilities Development Branch
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, Indiana 46206

Dear Mr. Feller:

My office is in receipt of the attached form which was sent to us for completion on behalf of the Geneva Township Regional Waste District. The district itself has had no meetings for several years. It owns no treatment facilities and was originally created for the purpose of attempting to apply for and qualify for various federal grants. At one time, it did receive an allowance under a grant for certain facilities planning work. This was done and submitted to your department. There were numerous delays caused by the various and conflicting demands made by the Indiana Department of Environmental Management on the district. As a result of this, no positive action was ever taken by the Indiana Department of Environmental Management concerning this project which is now completely dead.

I suggest that you contact Mr. Tom Keesling of your agency for a full and complete explanation of what has occurred with regard to this district.

Very truly yours,

McCONNELL & FINNERTY

CORINNE R. FINNERTY

CRF/tm

Law Offices
McCONNELL & FINNERTY
38 North 5th Street
Post Office Box 90
North Vernon, Indiana 47265

HAROLD H. McCONNELL
CORINNE R. FINNERTY
(PROFESSIONAL CORPORATION)

ALAN L. MARSHALL
ASSOCIATE

Telephone
(812) 346-5201
Fax
(812) 346-8470

RECEIVED
AUG 2[illegible] 1995
IDEM, OFFICE OF
WATER MANAGEMENT

August 15, 1995

CERTIFIED MAIL, RETURN RECEIPT NO. P893 395 928

Mr. William J. Feller, Chief
Reports and Quality Control Section
Office of Water Management
100 North Senate Avenue
Post Office Box 6015, Room N-1203
Indianapolis, Indiana 46206-6015

Dear Mr. Feller:

Enclosed please find a check made payable to your department from the Geneva Township Regional Waste District. This represents a refund of the grant pre-allowance which Geneva Township received for a facilities plan. As you know, the facilities plan was completed, however, the project was never funded. This clears out the district's checking account. As I understand it, your department may later seek administrative dissolution of the district due to the fact that no wastewater treatment is being undertaken by it.

Very truly yours,

McCONNELL & FINNERTY

Corinne

CORINNE R. FINNERTY

CRF/tm
Enclosure

cc: Trustees

Lynne —
Please put this check in [redacted]. Refund of old 208 Construction grant per Jeff Feller. 8/22/
Karen Martin

Date: Sep 5 1996

To: D. Daily (DRD), G. Glover (GTG)

From: M. Huybers (MHUYB)

Re: Geneva RSD

Don - Just want to let you know that I received a letter from the former president of the Geneva RSD Board saying that they have no objections to the NW Jennings District. He did not specifically ask for the Geneva District to be dissolved, but I think that we can go ahead and dissolve it based on language that he did include regarding the District being defunct.

cc: Greg Glover