STATE OF INDIANA

STREAM POLLUTION CONTROL BOARD

INDIANAPOLIS 46206

1330 West Michigan Street
633-5467

FINDINGS OF FACT AND RECOMMENDATIONS
OF ROBERT G. GRANT, HEARING OFFICER
ON BEHALF OF
THE STREAM POLLUTION CONTROL BOARD OF THE
STATE OF INDIANA

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| IN THE MATTER OF THE PETITION, FILED BY THE GENEVA TOWNSHIP TRUSTEE AND THE CENTER TOWNSHIP TRUSTEE, JENNINGS COUNTY, STATE OF INDIANA, FOR THE ESTABLISHMENT OF A REGIONAL SEWER DISTRICT TO BE KNOWN AS "GENEVA TOWNSHIP REGIONAL WASTE DISTRICT," PURSUANT TO IC 1971, 19-3-1.1. | ) | CAUSE NO. B-313 |

Upon receipt of the petition of the Trustees of Geneva and Center Townships, Jennings County, Indiana, for the establishment of a regional sewer district pursuant to the provisions of IC 1971, 19-3-1.1., the Stream Pollution Control Board of the State of Indiana, pursuant to the provisions of IC 1971, 19-3-1.1-5, issued notice of hearing, by publication in the North Vernon Plain Dealer on Thursday, November 13, 1975, and on Thursday, November 20, 1975.

Hearing was held on November 24, 1975, in the Scipio Elementary School, Scipio, Indiana, Robert G. Grant, Hearing Officer.

The Petitioners were represented by Larry Sutton, Attorney-at-Law, North Vernon, Indiana.

SUMMARY OF TESTIMONY:

Mr. C. William Bowman, Geneva Township Trustee, testified that, at the present time, there is no sanitary system in the proposed service area of the District. He stated that the only treatment available are individual septic systems. He presented a brief history of the proposed service area, tracing the great population gains of the past fifteen years and the expected continuation of this trend which will result in additional pollution.

Mr. Eugene Hall, Administrator of the Quinio Regional Mental Health Center, testified that there is a need for the establishment of a regional sewer district to serve the needs of the mental health center located within the proposed service area of the district.

Mr. Arthur W. Beal, North Vernon, Indiana, testified that the Queensville area of Geneva Township experienced a 52.5% growth rate during the period 1960-70. He further stated that this growth rate has continued into the 1970's and without the establishment of a regional sewer district, sewage will continue to be treated by the use of unreliable septic systems.

Mr. Ralph Matheny, Consulting Engineer, SIECO, reviewed the contents of the Petition and stated that the initial service area of the District would be that area bordering State Road 7 in Geneva and Center Townships. He estimated the total cost of the project to be $2,100,000, depending on construction costs at the time of construction. He further testified that the estimated connection fee would be $200 for a single family dwelling, and an average user rate of $7.84 per month. The cost of operation, reserve and debt service of the facility was estimated at $42,539 per year. He stated, at the present, approximately 425 to 500 residences would be served by the district. Mr. Matheny said that it was the intention of the district to lay 83,800 feet of pipe with six lift stations and pump the sewage to an existing treatment plant.

DISCUSSION:

Prior to the commencement of the hearing, Mr. Larry Sutton, Attorney for the petitioners, presented the Hearing Officer with an amended petition. The amendment was submitted at the request of the Hearing Officer. The amendment requested that the Trustees of the District be appointed instead of elected, as originally requested by the petitioners.

In addition to a general discussion by all present, written comments were received from Mr. & Mrs. Don Broadus expressing favor with the proposed district. Written comments were also received from Mr. Rex E. Jones, Planning Section, Division of Water Pollution Control, Indiana State Board of Health. His memo recommended the formation of the district because it is sufficiently large enough to address the needs of a broad region.

For the record, approximately twenty persons participated in a discussion of the present sewage disposal problems caused by septic systems and the poor permeability of the soil resulting in standing pools of sewage. Further, no one present objected to the formation of the proposed district.

FINDINGS OF FACT

1. That the Township Trustees of Geneva and Center Townships, Jennings County, State of Indiana, with the advice and consent of their respective advisory boards, filed their petition before the Indiana Stream Pollution Control Board for an order establishing a regional sewer district pursuant to the provisions of IC 1971, 19-3-1.1.

2. That the Stream Pollution Control Board, at its meeting on the 28th day of October, 1975, by motion duly made, seconded and unanimously passed, determined that a sufficient petition had been filed in accordance with IC 1971, 19-3-1.1, and appointed Robert G. Grant as Hearing Officer.

3. That notice of public hearing on said petition was published once each week for two consecutive weeks in the North Vernon Plain Dealer.

4. That a public hearing on said petition was held on the 24th day of November, 1975, in the Scipio Elementary School, Scipio, Indiana. That said hearing was held within ten (10) miles of the proposed district.

5. That the proposed name of the district is the Geneva Township Regional Waste District, with its principal office in Scipio, Indiana.

6. That the area to be served by the district contains no political subdivision having the authority or economic capabilities for the collection and disposal of sewage.

7. That the purpose to be accomplished by said district shall be to provide for sewage collection and disposal so as to promote the public health, safety and welfare of the residents of the proposed district.

8. That there is no outstanding indebtedness for the proposed district.

9. That the economic growth and development of the area of the proposed district limited due to lack of adequate sewage facilities.

10. That the project appears economically feasible.

11. That the territory of the proposed district will consist of all of Geneva Township and Section 29 of Center Township, Jennings County, Indiana.

RECOMMENDATIONS OF THE HEARING OFFICER

1. That a regional sewer district to be known as the Geneva Township Regional Waste District be organized as an independent political entitly of the State of Indiana as a body corporate and political.

2. That the purpose to be accomplished by said sewer district is to provide for the collection and disposal of sewage.

3. That the territory to be included in the district will consist of all of Geneva Township and Section 29 of Center Township, Jennings County, Indiana.

4. That the district be governed by a Board of Trustees consisting of five (5) members to be appointed by the Geneva Township Trustee.

   a. Members of the Board of Trustees shall be appointed as follows:

      (1) One (1) appointed Trustee with an initial term of four (4) years.

      (2) One (1) appointed Trustee with an initial term of three (3) years.

      (3) One (1) appointed Trustee with an initial term of of two (2) years.

      (4) Two (2) appointed Trustees with an initial term of of one (1) year.

   b. Said initial terms shall expire on November 30 prior to the anniversary date of their appointment as set out hereinabove.

   c. Thereafter, once the initial terms have expired, all terms shall be for four (4) years.

   d. The Geneva Township Trustee shall have the power to appoint Trustees to fill any unexpired term.

   e. Members may be appointed for more than one (1) term.

5. 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 ten percent (10%) of those funds anticipated to be received by the district, divided by six (6), which amount shall be determined annually by the Board of Trustees.

6. Six months from the date of this order the Geneva Township Regional Waste District shall file with the Stream Pollution Control Board of the State of Indiana, a detailed plan for the construction and operation of the district's facilities pursuant to the provisions of IC 1971, 19-3-1.1-5(a).

Dated at Indianapolis, Indiana, this 31st day of December, 1975.

Respectfully submitted,

Robert G. Grant

Robert G. Grant, Hearing Officer

STATE OF INDIANA )
) SS:
COUNTY OF MARION )

BEFORE THE STREAM POLLUTION CONTROL BOARD OF THE STATE OF INDIANA

IN THE MATTER OF THE PETITION, FILED BY THE GENEVA TOWNSHIP TRUSTEE AND THE CENTER TOWNSHIP TRUSTEE, JENNINGS COUNTY, STATE OF INDIANA, FOR THE ESTABLISHMENT OF A REGIONAL SEWER DISTRICT TO BE KNOWN AS "GENEVA TOWNSHIP REGIONAL WASTE DISTRICT", PURSUANT TO IC 1971, 19-3-1.1

CAUSE NO. B-313

NOTICE OF FILING OF FINDINGS OF FACT AND RECOMMENDATIONS

TO: Mr. Larry Sutton
Hamilton and McConnell
38 North Fifth Street
North Vernon, Indiana 47265

You are hereby notified that on the 31st day of December, 1975, Robert G. Grant, Hearing Officer in the above cause, presented to and filed with the Stream Pollution Control Board the complete record of the proceedings heretofore held before him on the above cause including Findings of Fact and his Recommendations.

A copy of said Findings of Fact and Recommendations is enclosed and made a part of this notice.

You are further notified, as provided by IC 1971, 4-22-1-2, that any interested and affected person may, within ten (10) days after receipt of notice, file with the Stream Pollution Control Board, at the office of its Technical Secretary, Indiana State Board of Health Building, 1330 West Michigan Street, Indianapolis, Indiana, 46206, objections to the entry of such order.

Dated at Indianapolis, Indiana, this 9th day of January, 1976.

Very truly yours,

Oral H. Hert

Oral H. Hert
Technical Secretary

RGGrant
Enclosure
cc: Hearing Commissioner

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