STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

STREAM POLLUTION CONTROL BOARD
OF THE STATE OF INDIANA

PETITION FOR ORGANIZATION OF
A REGIONAL WASTE DISTRICT

The Board of Trustees of Pendleton, Indiana and the Board of Trustees of Ingalls, Indiana of the State of Indiana, and with the approval of the Board of County Commissioners of Madison County, Indiana, respectfully petitions the Stream Pollution Control Board of the State of Indiana, for an order establishing a regional waste district in Madison County, Indiana, and in support thereof of alleges and says as follows:

1. That the proposed Regional Waste District (contains a part of Madison County, commonly known as the Towns of Ingalls and Pendleton) and surrounding areas. The purpose of the Regional Waste District is to provide for the collection, treatment, and disposal of sewage within and without the District. The undersigned are the duly elected, qualified members of the Board of Trustee of the Town of Pendleton, Indiana and the Town of Ingalls, Indiana of Madison County, Indiana.

2. That the name of the District shall be the Fall Creek Regional Waste District, hereinafter referred to as "District".

3. That the principal office of the District shall be located in the Pendleton Utilities Office, 119 West State Street, Town of Pendleton, Indiana, or such other place as the Trustee may from time to time designate.

4. a) That the need for the District and its purpose is to prevent the pollution of Fall Creek and adjacent watercourses, and to make the development of the surrounding area possible without discharging effluent into Geist Reservoir.

b) That the District will protect, enhance and be conducive to the health, safety, convenience and general welfare of the people of Madison County and the people of the State of Indiana better than existing or proposed facilities.

c) That the current sewer collection and disposal is being provided by private systems and plants and individual septic systems.

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

e) That the current systems discharge effluent into Geist Reservoir which is the water supply for the City of Indianapolis and surrounding areas in Marion County, and the current facilities do not function satisfactorily.

f) That proposed development cannot take place in the incorporated of the Town of Pendleton, Indiana and the Town of Ingalls, Indiana without an adequate system for collection, treatment and disposal of sewage.

5. That the District shall include the corporate limit of the Town of Pendleton and the Town of Ingalls as presently exists.

6. That at any time after the creation of the District, any political subdivision whose territory is not wholly included within the District may file an application with the District setting forth a general description of the territory it desires to have included with the District, the necessity of the inclusion of such territory within the District, that it will be conducive to the public health, safety, convenience or welfare, and that it will be pratical and feasible for such territory to be included within the District. If said application is approved by a majority of the Board of Trustees of the District, the territory described in said application shall thereupon become part of the District.

7. That your petitioner's recommendation concerning the manner of selection, number and term of the members of the Board of Trustees of said proposed District is as follows:

The Board of Trustees of the District shall consist of nine (9) members to be appointed by the Town Board Presidents of Pendleton and Ingalls as follows:

1) The Town of Pendleton shall appoint five (5) members to the Board of Trustees. Such members shall be residents of said District.

a) Two (2) appointments by the President of Pendleton Town Board shall serve four (4) years;

b) One (1) appointment shall serve three (3) years;

c) One (1) appointment shall serve two (2) years;

d) One appointment shall serve one (1) year.

2) The Town of Ingalls shall appoint four (4) members to the Board of Trustees. Such members shall be residents of said District.

a) One appointment by the President of Ingalls Town Board shall serve four (4) years;

b) Two (2) appointment shall serve three (3) years;

c) One appointment shall serve two (2) years;

8. That your petitioner would propose until the receipt of revenues from the operations of said District or proceeds from the sale of revenue bonds, whichever first occurs, that the local governmental units, including the Town of Pendleton and the Town of Ingalls, Indiana, underwrite necessary expenses incurred for legal fees, engineering services, and other expenses reasonably necessary to the forming and organizing of the District; that out of the first revenues from the operation of said District, or from the proceeds of the sale of revenue bonds, whichever first occurs, said District repay the local governmental units all of the monies so advanced by the units

for the foregoing purposes. The necessary expenses incurred for legal fees, engineering services, and other expenses reasonably necessary to the forming and organizing of the District may be paid out of funds received from proposed users.

9. That the estimated cost of construction in the District will vary depending upon agreements with the State of Indiana Department of Correction as to the cooperative construction of the sewage treatment plant and the total cost of construction of plant and lines in the District. Said cost is estimated at $2,553,133.00. The estimated user charges and hook-on fees will vary greatly depending upon the source of grants, contributions of development and grants from the State of Indiana and the federal government. It is estimated that the user charge will vary according to water usage and industrial discharge per month will an initial hook-on fee of ten dollars ($10.00) per user, excluding present Pendleton sewage customers. A separate initial hook-on fee for the Indiana State Reformatory will be determined when construct costs are more defined. The estimated cost of operation of the sewage treatment plant for Sixty-Four Thousand and Eight Hundred Dollars ($64,800.00) per year which may vary depending on grants and cooperative agreements.

10. a) That the Trustees of the District be authorized to borrow money for the pruposes of carrying on the duties of the District from any bank and to issue notes and securities therefore:

b) That the Trustees of the District be authorized tp issue revenue bonds as provided in the act for the purposes of the District;

c) That the Trustees of the District be authorized to contract with any user or governmental unit;

d) That the District and the Trustee be given the powers to do everything necessary, proper, advisable, or convenient for the accomplishment of any of the purposes, or the attainment of any

of the objects or the furtherance of any powers set forth in IC 19-3-1. 1- through IC 19-3-1. 1-20 as amended by the Acts of 1972 and 1973 of the Indiana General Assembly.

Wherefore, your petitioner prays that the Fall Creek Regional Waste District be formed and that the relief herein prayed for be granted and all other relief appearing proper to the Stream Pollution Control Board.

TOWN OF INGALLS

Ed Weddinton
President

Charles Hennis
Board Member

Horace Sigler
Board Member

Attest:

Council of Governments

This Instrument prepared by:

Walter R. Johnson
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TOWN OF PENDLETON

Marvin Kelly
President

Paul Stoner
Board Member

George W. Daugherty
Board Member

Charles R. Breese
Board Member

Marcel Ballart
Board Member

attest: Morris McCandy
Clerk-Treasurer

)SS:
COUNTY OF MADISON)

ORDER

Comes now all the parties and after hearing the evidence and reviewing the Petition as filed for the establishment of a Fall Creek Regional Waste District in Madison County, Indiana

(H. I.)

And the County Commissioner, having seen and inspected the said Petition, and being duly advised in the premises, finds in accordance with said Petition that the said Regional Waste District is practicable, that said proposed District will benefit both communities to improve necessary sewers and reduce costs of individual users and improve the condition of the surrounding streams.

IT IS THEREFORE ORDERED AND APPROVED by the Madison County Commissioners that the Town of Ingalls and Pendleton proceed with the establishment of the Fall Creek Regional Waste District.

APPROVED THIS 11 DAY OF SEPTEMBER, 1974.

George W. Baker

Clinton Gaddork

Murray J. Ogard

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STATE BOARD OF HEALTH
OFFICE OF THE HEARING COMMISSIONER