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

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

Notice

You are hereby notified that the Harrison County Council and the Harrison County Commissioners have petitioned the Commissioner of the Indiana Department of Environmental Management for an order establishing a Regional Sewer District to be known as the Harrison County Regional Sewer District.

A public hearing will be held on June 30th, 2005, at 7:00 p.m. (local time), in the Corydon Central High School, 375 Country Club Road, Corydon, Indiana 47112 to receive public comments on said Petition. Written comments will also be accepted for a period commencing immediately and ending on July 15th, 2005 at the following address:

Ms. Lynne Newlon
Office of Water Quality
Indiana Department of Environmental Management
100 North Senate Ave., 65-42 LN
Indianapolis, Indiana 46204

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 Harrison County Regional Sewer District is on file at the Harrison County Public Library, 105 North Capital Ave., Corydon, Indiana 47112, 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., Suite 1322
Indianapolis, Indiana 46204

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

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

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
(800) 451-6027
www.IN.gov/idem

The Corydon Democrat
Phone: 812-738-2211
Fax: 812-738-1909

Dear Ruby,

Re: Public Notice

Enclosed please find a copy of a Notice of Decision regarding the formation of a Regional Sewer District. Please publish (1) one time, as soon as possible.

For billing, please send a notarized 99P form and clippings showing the date of publication to me at Indiana Department of Environmental Management, 100 North Senate, 65-42 LN Indianapolis, IN 46204. On the reverse side of your publisher claim, please be sure to include your Social Security or Federal Identification Number on the first line below the statement: "In the sum of $..."

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

Thank You,

Lynne Newlon

IDEM
OFFICE OF
WATER QUALITY
JUL 15 8 27 AM '05

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
STATE OF INDIANA

IN THE MATTER OF THE PETITION)
OF HARRISON COUNTY COMMISSIONERS) BEFORE THE COMMISSIONER,
& COUNTY COUNCIL, HARRISON COUNTY,) IDEM, STATE OF INDIANA
INDIANA TO ESTABLISH A REGIONAL)
SEWER DISTRICT PURSUANT TO IC 13-26)

ORIGINAL

- - -

The IDEM Public Meeting and Hearing on the 30th day of June, 2005, at Corydon Central High School Cafeteria, 375 Country Club Road, Corydon, Indiana; said Public Meeting and Hearing commencing at 7:07 p.m. before Hearing Officer Lynne L. Newlon of IDEM, and recorded by Sandra D. Aich, Certified Verbatim Reporter.

****

AICH REPORTING SERVICES
2400 Flatwoods Road SE
Corydon, IN 47112
(812) 952-3447
1-866-952-3447
---
aichreporting@yahoo.com

APPEARANCES

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Lynne L. Newlon, Hearing Officer
Office of Water Quality
Regional Water and Sewer District Coordinator

Julie Bye, IDEM staff

HERITAGE ENGINEERING, LLC

Robert L. Woosley, P.E., Presenter

Bill Sanders, Engineer

OTHER ENGINEERING FIRMS PRESENT

John B. Malueg, P.E. and Steven Hall
Fuller, Mossbarger, Scott & May Engineers

Kevin Russel, P.E.
Harrison County Engineer

HARRISON COUNTY COUNCIL MEMBERS:

Chris Timberlake
Buck Mathes

CITIZENS OF HARRISON COUNTY

Mark Redden
Ben Jones
Darrell R. Voelker
Joseph Kingsley
Jackie Carpenter
Kathy McDowell
Stanley H. Wilkerson
Fred Cammack
Anthony Combs
Barbara Middleton
Bill Ward
Jerry L. Hunter
Clark Hardsaw
Catherine Turcotte
Donald Hamblen
Alan D. Pate
Chris Cunningham

Bill Byrd
Rob Huckaby
Cheryl Lone
Faith Lovett
Grace Schneider
Terry Miller
Gregory Albers
Dennis Wilkerson
Robert Schickel
Peter J. Schickel
Joan T. Schickel
Rick Schroeder
Patsy Schroeder
Marty Bachman

INDEX

	Pages
Public Meeting:	4-34
Public Hearing:	34-43
Question and Answer Session	43-45

EXHIBITS

Exhibit Number 1
-Petition to Establish Regional Sewer District

TRANSCRIPT LEGEND

-	(Interjection of thought for clarification)
--	(Interruption of thought)
...	(Trailing off or did not complete thought)
(ph)	(Phonetically)
(sic)	(In its original form)

P R O C E E D I N G S

7:07 p.m.

(Whereupon, the court reporter marked Exhibit No. 1 prior to the proceedings.)

PUBLIC MEETING

MS. NEWLON: Let's get started with the public meeting and the presentation. Bob Woosley is an engineer that's been working on this, and he's just gonna kind of get you a real brief update, what's gone on, how we got here today, and then we will answer questions after his presentation.

MR. WOOSLEY: Okay. They said I have to speak into the mic. Does this still work?

THE COURT REPORTER: (Nods head affirmatively.)

MR. WOOSLEY: Okay. They're supposed to record it.

I'm Bob Woosley with Heritage Engineering. John Malueg is here as well. He's with FMSM. Steven Hall with FMSM Engineers is here. And Bill Sanders with Heritage Engineering. We all worked together as a team on helping Harrison County get to this point on trying to get the regional sewer district formed. So Lynne has asked me tonight to kind of -- kind of give you a quick cliff-notes version, if you will, of how we got to this point tonight, and then she will take it from there and go through all of the formal process. I'm assuming that

at anytime you can answer -- ask questions. I think that's okay, at least during my part of it, I'm sure it is, but I'm sure Lynne will have another -- another agenda there.

All right. Where have we gone so far? A lot of people ask us: You're forming a regional sewer district. What's that mean? Well, it took a long time to get to this point. A regional sewer district does not mean county-wide sewers. Okay? That's a big question everyone always had. "Are we gonna have county-wide sewers?" We brought a little map here that we've been using for a year or so now, got a little elbow marks in it where people are leaning on it on tables. But what it shows you is the areas of green, and those green areas are areas that already -- already have sewer service or areas that could be expanded to -- to receive additional sewer service or what have you, are some areas that were identified that might have a need for sewer service right now. So what does that tell you? Well, it tells you that about 75 percent of the county or better would stay septic, at least in the way we're seeing it right now. We don't see that as really being feasible to try to sewer the whole county, and that's not the intent of what we were doing. So what we've done to date is we completed a feasibility

study. We had meetings with town to review their wastewater and stormwater needs. This will also include an element of stormwater oversight, and we'll talk a little about that, but the main driver is the wastewater side. We submitted a Petition for this regional district back in June of last year, so about a year from -- a year ago we were told by IDEM, by Lynne, that it takes about a year, of 9 to 18 months or so to get a district up and running. So we're -- Believe it or not, we're on schedule. It may not seem that way. IDEM accepted our Petition, and at that time, we had to go through this process, and now we're here today at the public hearing stage, which is one of the last steps to getting the district started.

At our meetings, we went through a lot of different ideas and bounced a lot of things off of us, and we said, you know, what -- what are the drivers here? What are we looking at? Who has sewer service? Who needs sewer service? What are areas that are gonna grow? So we -- we identified areas, those are the areas in green, some of them that we talked about. We talked about different options. Should you build a second plant in a town? Should you expand a plant that's in the town? Should you -- Do you have other alternate ideas? Should you take it out of county? stay in county? We

looked at the cost estimates, rough cost estimates at that time, 'cause we hadn't done a lot of detailed plans at this point. Then we started prioritizing where things should happen, and then gave options for oversight. The main things we were looking at that came from all of our meetings we had were that we had a couple of top priorities, and they were kind of "1" and "1A," as we call them. And they were economic-development driven and protect the environment. So one of the things that jumped out was they said: Well, what can we do to get the Lanesville interchange jump-started? How can we attract business? And that was an economic development driver. Let's get -- let's get the infrastructure there. Let's get the sewage there if we can. So how do we do that? And then the second thing was: Well, where are the areas that are -- are failing? Do we have failing septic systems? Do we have package treatment plants or other systems that are failing that we need to know about, and how do we get those off line? How do we protect the environment that way and keep the cave system and other systems from being polluted. At that time we -- we started saying: Okay, now that we have those two priorities or guidelines in place, let's look at individual projects versus regional projects, and -- and that drove us to getting our feasibility

study totally complete.

We did decide at that point that we felt from talking to everyone that the best way to do this was to have the one -- one authority to oversee everything that wasn't inside of an existing municipal system. So, for instance, the town of Corydon, town of Lanesville, those types of towns wouldn't be included - they already have their own municipal system. So anyone outside their boundaries would have a regional authority, have oversight in those areas. This would include wastewaters, -- stormwater, wastewater, we're looking at possibly a septic maintenance program that could be implemented. They would operate and maintain new systems, or the district would -- Lynne will talk about, the district could choose to contract with existing systems so that it -- say, for example, we're outside the town of Lanesville and someone needs service out there, and the town can't get to them, but the regional district says, "Well, we can help them get the service," then we may go to Lanesville to take our sewage treatment and have them treated instead of building another plant, but I -- the idea is not to have 15 plants throughout the county if we can keep from it. And, again, it would provide county-wide oversight. So we chose to go with that route. There is an Indiana

code that Lynne can go into more detail on. She probably knows it better than -- than anyone. It's Indiana Code 13-26. It -- it spells out how the districts are set up and formed.

Now, we had two options for oversight. There was conservancy district and regional district. The main difference, and I don't know all the differences, but the main differences are that the conservancy district is tax-based. We -- After talking about that, we decided, no, we don't want another tax on property owners. So we decided to go with the user -- the user-fee based district, which is the regional district. It, again, is based on -- user fees are generated, it helps fund the district. So that's -- that's where we're going with that tonight. That's why we're here is to finalize the formation.

What is a regional district? How does it work? There is a handout that Lynne had left at the -- at the beginning that kind of gives you some bullets and ideas of what a regional district's all about. It's -- it's basically a -- an authority that's establish that will have a governing body. I think ours will have a board member a board of seven. I believe that's right. Lynne, is that what we decided?

MS. NEWLON: I believe so.

MR. WOOSLEY: I think so. I'd have to look at the Petition, but I believe it's seven members. They're representative of the different areas. For example, the existing municipal systems, if we're gonna tap into one of theirs, then they would have a seat on that or have a voice as far as that board. So there -- there's some appointed positions on there and whatnot, but it will have a governing body of a board that will rotate. It's not like you're on there for life. You -- you have a term that would last and then you -- you come off of it and come back.

Specific questions on the district? Lynne, I'm hoping that you can answer those when you get up or when they ask questions.

MS. NEWLON: Sure.

MR. WOOSLEY: Okay. 'Cause you're -- you're more in tune with the specifics of it. But, basically, the regional district will provide the oversight. We will -- we will look at stormwater as well. We mentioned that, and that's gonna be a key component, meaning -- what's that mean -- what's that mean to you as a property owner? Well, if, for example, there's a new subdivision coming in and they're going to dedicate easements for storm drainage, and who's gonna take care of it? Who's gonna oversee it? Who's gonna make sure

that it gets to the outlet it's supposed to get to? We're hoping that this district can take on that role, and that's something that we recommended, so we're -- we're hopeful that can happen.

Where do we go from here? Well, right now we've had several public meetings lately, just to try to, hopefully, answer some questions for folks, and we had hit-'n-miss attendance on that, but most of the folks we hope by now are -- are fairly familiar with what we're trying to accomplish. But now, as of tonight, we move forward by having this public hearing. Lynne Newlon will have a two-week public comment period. Followed that by she will recommend her Order, draft up her recommendation for the Order to establish the district. After that it gets sent to IDEM's legal counsel and gets routed through the system, and then eventually makes it back to the county for final adoption. So that's -- I guess, if you're looking at from tonight where do we go, from tonight we're probably looking at a four-to-six-week window, maybe tops of an eight-week window of finally getting it back to the county for final adoption. And Lynne can -- can answer more on that, but that -- that's the official process by Indiana code that we have to follow from here on out.

You want me to take questions, some questions now?

MS. NEWLON: Sure. That helps us out.

MR. WOOSLEY: Yeah, that -- that's fine. I -- I don't have any other ... If you a have a specifically, I'll try and answer them.

CITIZEN: We've been trying to find you. Would you mind telling us who you are and --

MR. WOOSLEY: I'm sorry.

CITIZEN: -- who you represent?

MR. WOOSLEY: Bob Woosley with Heritage Engineering.

CITIZEN: With who?

MR. WOOSLEY: Heritage Engineering. I have some cards, too, if you need them, so you can give me a call if you have questions.

CITIZEN: Would you identify the areas in green --

MR. WOOSLEY: Yeah, --

CITIZEN: -- that you have up there?

MR. WOOSLEY: -- the areas in green --

CITIZEN: Yes, sir.

MR. WOOSLEY: Good -- good question. These (indicating) are areas that we identified during studies that they either -- either they have service now or there's been an interest in possible service sometime in the future or now -- either now or in the future. Or potentially there may be a higher concentration of

septic systems there we might want to keep an eye on. I'll just run down from the top coming down. Palmyra, they've got an existing system. Sennville and Bradford are pretty close by, and it's a high -- it's a more densely populated area. Not sure if they need them now, but that's an area that was identified that could possibly get service in the future. New Salisbury was another area that was identified. We identified the North Harrison High School Ramsey area. A big reason for that is they have a package treatment plant there, so we're looking at a way to either take advantage of that plant and better utilize it or get it off line. So that may be in conjunction with New Salisbury. Same thing with Crandall, looking at how does that fit in. If you're gonna do New Salisbury, that might be a potential area. Milltown has an existing system now that is in need of some upgrading, repairs, and that was identified. Lanesville, obviously, they have a system as well. We identified it to expand that area of service somewhat or somehow to get service to the interchange, whether that means going to Lanesville or some other -- other area, but that -- that was a key -- key spot. Corydon's in the middle, and, obviously, they have their service area and are looking for ways to enhance or take -- take advantage of the development

areas outside of it. New Middletown is an area that had been identified and has been well documented on -- on what they've gone through there. Elizabeth was another that was identified as one of the towns that may be interested, maybe not right now, but we wanted to make folks aware that, you know, there is a higher population of folks in a tightly packed area there. Laconia has their own system now, so it was identified. And then Mauckport was identified to say that we also had to keep an eye on it. So those are the -- the areas that we hit on. Good question. Don?

CITIZEN: I wasn't gonna say anything, but since you're on the -- particularly the Lanesville part, we have started getting ready for this district, 'cause you know it's gonna come, and we just recently purchased two more acres by our present sewer plant from the KFC, so we've got plenty of room and we will be able to expand down the road, which we probably will. And the same way with our water lines. We're getting ready to elect bids for that. We're getting a new water storage tank so we'll be able to supply more water than we ever have had. And we just purchased more land up on the hill right beside our present tank, so we've got all that taken care of for the next few hundred years. So I just wanted to let you know that we are looking at this. I

was at the meeting a year ago with the Commissioners and the Council. I think it's a good idea. I have a son who lives in Angola, Indiana, Steuben County. They just went through this regional sewer district, I'd say well north of east of Angola, a little bit south, and the septics were failing so bad up there around those lakes, it was all running into the lakes and the streams. They had one heck of a mess. They started about two or three years ago and they got that all completed. Now, people didn't like the cost, but, boy, they're sure happy that it's all straightened out, and they're very happy with it. So I just wanted to throw those things in for you.

MR. WOOSLEY: Someone else had a question.

CITIZEN: These areas that are overlapped with the existing systems, who ultimately is gonna run that system?

MR. WOOSLEY: That -- that's --

CITIZEN: Is that gonna be out the door and --

MR. WOOSLEY: No, that -- that's a great question.

CITIZEN: -- (inaudible) or what?

MR. WOOSLEY: The city, actually, has first dibs on, I believe, it's the two-mile fringe, or so to speak, around the towns, --

MS. NEWLON: It can go --

MR. WOOSLEY: -- or it can go out further than that.

MS. NEWLON: -- about to even 10 miles, but ...

MR. WOOSLEY: Out to even 10. The city would have first rights. And if they decided that they want those as customers and want to expand out to get them, then they have to show the plan and how they're gonna do it to IDEM. And if they decide, okay, we can do it, then we can do it in 12 months, and that 12 months comes and goes, then IDEM's gonna say: Okay, if you can't do it in that time, then the district will come in and do it for you -- or will come in and do it and it'll be their customers.

CITIZEN: What's the time frame?

MS. NEWLON: If it -- Well, ...

MR. WOOSLEY: They'll put a window. I'm just using an example.

MS. NEWLON: Yeah, that's an example.

MR. WOOSLEY: Yeah.

MS. NEWLON: If there's any --

CITIZEN: Are you with IDEM?

MS. NEWLON: Yes. My name's Lynne Newlon, and I'm with the Indiana Department of Environmental Management, and I will be your hearing officer tonight. But I'm the regional sewer and water district coordinator. If there's any municipalities that are planning on serving outside their corporate line, then I would strongly

suggest getting my card and getting in contact with me and talking to me, because currently this district is going to be county-wide covering all unincorporated areas. In the past I've always yielded to municipalities if they basically come to IDEM within a timely manner, and I would say within the -- by July 15th, by the time the comment period was over and express that concern, because we need to work through that. And as I say in the past, I have said: Okay, municipalities, you know, what are the plans, and usually I'll -- there'll be a date with a "Notice of Received By," and then it will yield to the municipality. But, again, if there's any municipalities out there, please contact me. You can call me, you can e-mail me ... That will probably be the best. Call, leave a number. I'm out of the office a lot, but I will get back with you and I'll probably be coming down and talking to you.

Yes, sir?

CITIZEN: I put down to make comments later, but I'll ask the question now if it's okay.

MS. NEWLON: Sure. This -- this is the time to ask questions, 'cause in the public hearing, you're only giving testimony, but you can also give testimony during the hearing as well.

CITIZEN: I am not a member of the Town Board of Milltown. However, I am appointed by the Town Board of Milltown as their representative on the Board of Indiana 15 Regional Planning Council. If you look at the map of Milltown, you can see it's split in the middle. And that river is like the Great Wall of China. It causes us problems day in and day out. Region 15 does not serve Harrison County. What is it, Indiana 4? I don't know what number it is. Anyway, what is it now?

CITIZEN: We're River Hills. I think -- I don't -- We're River Hills, I guess it's 14. We always said --

CITIZEN: Fourteen --

CITIZEN: -- River Hills.

CITIZEN: -- that's it, 14.

CITIZEN: I guess it's 14.

CITIZEN: Okay, 14 covers Harrison County. But when you get to that river, like I said, it's like the Great Wall of China. You can't hardly get over it. Now, we're right now in the middle of upgrading our wastewater plant. And you may be aware of this. We are very interested in forming a wastewater district, and we're interested in going out perhaps a 10-mile radius. You said that. Is the fact that we're now upgrading gonna cause us any problems if we decide to go ahead and form a district over there and try to provide service

for people within a 10-mile radius of two counties?

MS. NEWLON: I'm not sure if I understand the question, because this -- Harrison County Regional Sewer District covers all unincorporated areas, so you're -- I mean, you're saying a district on top of a district? Because they can --

MR. WOOSLEY: No, --

MS. NEWLON: -- contract with --

MR. WOOSLEY: -- in Harrison County. He's saying -- you're saying on the --

MS. NEWLON: Other side?

MR. WOOSLEY: -- Crawford County side?

CITIZEN: I'm saying Milltown wastewater plant serves the Crawford side.

MR. WOOSLEY: Crawford and Harrison.

MS. NEWLON: Crawford. Okay. Okay. We ... Yeah, we can --

CITIZEN: It includes Harrison and Crawford.

MS. NEWLON: Harrison and Crawford.

MR. WOOSLEY: Milltown's on both sides of the county line.

MS. NEWLON: Because you wouldn't want a district on top of -- overlying the other district, although you -- you could do a district in Crawford and send it, or this district could expand in, you know, Crawford County

lines and then send it to your municipality.

CITIZEN: Or they just brought up the Great Wall of China.

MR. WOOSLEY: Yeah. I was gonna say, or could -- if Crawford had their regional district, it could take Milltown as part of it, right?

MS. NEWLON: Is Milltown incorporated?

MR. WOOSLEY: Yes.

MS. NEWLON: They -- they would have to --

MR. WOOSLEY: Right. I mean, that's --

MS. NEWLON: -- I mean, Milltown --

MR. WOOSLEY: -- up to Milltown --

MS. NEWLON: -- would have to sign off on it.

MR. WOOSLEY: Okay. That's what I thought, yeah. 'Cause Milltown's out of the area.

Yes, ma'am?

CITIZEN: If ... I'm sorry, I came in a few minutes late, but if we become a district and sewer is available, are homes, existing homes, required to hook up to the sewer?

MR. WOOSLEY: That's -- Yeah, that's more of a State plumbing code issue. If --

MS. NEWLON: If there is a line within -- sorry -- within 300 feet from your property, it states in the code that the district may --

MR. WOOSLEY: Right.

MS. NEWLON: -- mandate it; it's not a shall. So usually, though, the more on, the more economical it is, but you'd have to go ... Say you have a brand new septic and you have 40 acres, you would need to go to that sewer board and plead your case on a case-by-case basis.

MR. WOOSLEY: Well, a lot of times the local health board will get involved, too, to ensure there's no issues that if that's been a failing system and they want to get it off line. If not, it's new, then they can wait and see.

MS. NEWLON: And it can also vary to what funding the district pursues, because rural development says everyone is now hooked up. So we don't know those answers yet, but, you know, if this district is formed, you need -- if you have concerns, you need to go to that district board.

Real quick, I want to say, the district board will be made up of seven board members. Two members will be appointed by the Harrison County Commissioners. Two members will be appointed by the Harrison County Council. One member shall be appointed by the Harrison County Board of Health. One member shall be appointed by the County Commissioners with a recommendation from

the Economic Development Committee. And one member -- If they end up utilizing a municipality, contracting with a municipality, they get a person on that board. Now, if it gets --

CITIZEN: Who gets a person on that board?

MR. WOOSLEY: That municipality.

MS. NEWLON: That municipality that they're utilizing. Now, if they end up utilizing 5 different municipalities, say 15 years down the road, -- I don't know if it's possible, but if they do -- all would get an appointment on the board, but there would only be one vote and it would be a floating vote, and the district board would have to come up with bylaws to figure out. Because one, all municipalities wouldn't come on board all at once anyway. These are talking about phased-in projects. There was -- Yes, sir?

CITIZEN: You said something about a 10-mile radius that could go out. What if they don't have a sewer plant there now? They (inaudible/coughing) and four years from now they get money (inaudible) down there, and I live three miles from there and I don't have any trouble with my septic, and they mandate me to hook up to it. Who sets the rates on what I'm gonna have to pay?

MS. NEWLON: Well, --

CITIZEN: Is that gonna be, you know, $1700 (inaudible/coughing)? Is it gonna be $50 a month? Is it gonna be $100 a month? Where do we go then?

MS. NEWLON: Well, right now until a rate consultant is brought on, they don't -- I mean, those are questions we don't know. Until they figure out -- you know, they're not gonna be putting sewers all over the county.

CITIZEN: So you're gonna vote this regional district in, then taxpayers don't have no idea what they're gonna have to cost, --

MS. NEWLON: Well, it's not --

CITIZEN: -- that's what you're saying --

MS. NEWLON: -- it's user fees --

CITIZEN: -- that's what you're saying.

MS. NEWLON: -- it's user fees only; it's not taxes. Taxes cannot be paid --

CITIZEN: It's money.

MS. NEWLON: -- for this.

CITIZEN: If I've got a good system, --

MS. NEWLON: And --

CITIZEN: -- you know. I'm 50 years old, and I've got enough land. If I have to put in three more, it ain't gonna affect nobody else, but it's still gonna cost me so much money a month.

MS. NEWLON: Well, and that's when you need to go to that district board. There is -- there is a thing in the statutes stating if your septic is new within five years -- within five years, then you can actually go to the board and ask: Could one not be hooked up or, two, it would be prorated where you're not paying all the --

CITIZEN: Are they gonna come out --

MS. NEWLON: -- debts fees?

CITIZEN: -- and test it to see if it's working, just 'cause's it -- it has to be five years new?

MS. NEWLON: Well, it's a case-by-case basis. You know, I mean, you -- you know, say you're sitting on 40 acres. You can go to that district board and say you don't -- you know, you don't want to be hooked up. They can vote on it. They don't have to mandate hookup. But it will be that board making those decisions. It's gonna be local first.

CITIZEN: But they're appointed by the county?

MS. NEWLON: Sorry?

CITIZEN: They're gonna be appointed by our Commissioners and Council?

MS. NEWLON: Which are elected officials, yes, sir. Question over here?

CITIZEN: Yeah, would you say the make-up of the board and who -- who would be appointed to that again?

MS. NEWLON: I'm sorry, I didn't hear you.

CITIZEN: The make-up of the board.

MS. NEWLON: Oh, the make-up of the board. Okay, two members will be appointed by the County Commissioners of Harrison County, two members shall be appointed by the Harrison County Council, one member shall be appointed by the Harrison County Board of Health - that'll probably be the Health Officer making the appointment, could appoint himself if he chooses, him or her. One member shall be appointed by the Harrison County Commissioners with the recommendation from the Economic Development Commission. And then one will be voting from your municipality. And the others would be like ex-officios. And, like I say, it'd be bylaws that would get into further detail. But current -- currently it's a seven-member board that is proposed.

MR. WOOSLEY: Yes, sir?

CITIZEN: In your literature here it says (reading) Presented with a petition from proposed rates. I wonder if you could share that information with us?

MS. NEWLON: Yes.

MR. WOOSLEY: The proposed rates?

CITIZEN: Uh-huh (affirmative).

MR. WOOSLEY: We're -- we were recommending trying to keep the rates between the thirty-five to fifty-

dollar range, and that's the -- that would be a monthly user-fee rate going -- if you're hooked up to a sewer system. Again, that's gonna depend on where the system's at, how many people are hooking on, the cost to build it, those things. But we see that that would fit -- it kind of fits in with what the spread is on the county, so to speak, 'cause not everyone is paying the same right now that's on a municipal system. So somewhere in that thirty-five to fifty is what we were trying for.

Yes, sir?

CITIZEN: Since our rates are predicated on that water usage, would that have to be changed?

MR. WOOSLEY: No. No, it would -- we would not come into an existing municipal and change any of that at all. I mean, that's totally that municipal's responsibility. So ...

Yeah, Bob?

CITIZEN: Bob, I want to talk to you about the problem with our hospital. We've been working to get a new hospital, and we have a problem with the sewer district, sewer to sewer. Are you familiar with all of that?

MR. WOOSLEY: Yes, sir.

CITIZEN: I guess my question is gonna be: How --

how and if -- If the hospital decided to process their own sewage, --

MR. WOOSLEY: Right.

CITIZEN: -- would -- how -- how long would it take to get that approved, and will it need to be approved through this district, or would they just do it on their own then come on in later or --

MR. WOOSLEY: I don't know. If the district's in place, then, yes, it has to come through the district. They could choose to come to the district now. Well, that's not formed yet. Once the district's established, say in eight weeks or nine weeks or so, --

CITIZEN: She said something that may -- may fall into play on this also is: Are you familiar with the problem we're having with the hospital sewage? You know, they're --

MS. NEWLON: No, sir.

CITIZEN: -- they're in Ramsey water district and they want to build a new hospital, but there's no sewage, no sewer there, no sewer. And Corydon, you know, they don't want to pay somebody else's water; they want their water and sewer. So ... And you mentioned about the 10-mile area that would take over. So if the hospital did want to build their own sewer plant and dispose of their water however, would anybody or could

anybody interfere with that project?

MS. NEWLON: Is the -- is the hospital within corporated limits -- incorporated limits?

CITIZEN: I just know it's in the county, but it is in --

MR. WOOSLEY: It's outside the (inaudible) mile.

CITIZEN: -- within the 10-mile fringe you're talking about.

MS. NEWLON: So that would be in the district boundaries unless -- and what 10 miles is it within? Ramsey?

MR. WOOSLEY: No.

MS. NEWLON: Or ...

MR. WOOSLEY: Corydon. Corydon.

MS. NEWLON: Corydon. So if there -- you know, if the hospital's been talking to Corydon, and Corydon had planned on putting pipes out there to take care of it, then that area may be excluded. And that is -- that would all be looked at, and that's why we're having a public hearing, and I want to receive comments, and we want to smooth out those bumps prior to.

MR. WOOSLEY: They -- they could be a district customer, and then the district would be a customer of Corydon, of both of them.

CITIZEN: It appears to me that our hospital board

is -- and this kind of just going right along with -- with the program and thinks everything's gonna work out in the end, and it looks like to me there's some pretty good roadblocks that --

MR. WOOSLEY: They need to work out.

CITIZEN: -- need to be worked out. And I'm just trying to figure out some way that I might get some ideas on ...

MR. WOOSLEY: Yeah.

CITIZEN: (Inaudible.)

MR. WOOSLEY: I mean, I can see them being a regional district customer that -- that the regional district contracts with Corydon to accept the flow through a flow meter or whatever way -- other way to register the flow. So that's an option.

CITIZEN: I'm talking about having their own processing plant. Neither side wants to give very much to it, Bob, and --

MR. WOOSLEY: Yeah, --

CITIZEN: -- I'm sure you're --

MR. WOOSLEY: -- I'm sure of that.

CITIZEN: -- aware of that. You've been working on it for two years.

MR. WOOSLEY: I'm sure of that. They can do their own.

CITIZEN: So somebody --

MR. WOOSLEY: They do their own.

CITIZEN: -- ain't giving the right information, it looks to me like.

MS. NEWLON: Well, and say we -- say the district does become a district and the hospital wants to become a CTA, certificate of territory authority, a private utility, then they would have to go to the district to ask them to rescind those boundaries, which then the district to rescind boundaries, petitions IDEM.

CITIZEN: That's after you get established?

MR. WOOSLEY: Correct.

MS. NEWLON: Right.

CITIZEN: That's after you get established?

MR. WOOSLEY: Right now we can't do that.

MS. NEWLON: Correct.

CITIZEN: They need to move on this this summer.

CITIZEN: Bob, since you mentioned the thirty-five to fifty dollars per pop, I think is what you said, --

MR. WOOSLEY: Yeah, it's a ballpark. I'm trying to keep it into that.

CITIZEN: I'm gonna be having a representative from Lanesville and also Laconia. What are their current rates? Would you mind telling me what their rates are?

MR. WOOSLEY: Uh ... Go ahead.

CITIZEN: An average --

CITIZEN: Sewer hookups?

CITIZEN: -- ballpark figure?

MR. WOOSLEY: No, your user fees, monthly -- your average monthly.

CITIZEN: Well, the average, I'd say based on the base rates and everything would -- would probably -- probably run thirty -- thirty-two/thirty-three dollars a month. But then, again, some people use a lot more water than others.

CITIZEN: The reason -- the reason --

CITIZEN: My estimate's usually about a hundred dollars.

CITIZEN: I run onto (sic) a single man from Lanesville who said he did not do his washing but once a month because of the accelerated rates there.

MR. WOOSLEY: Because of the expense?

CITIZEN: Yeah, because of the expense. He told me it was between seventy to a hundred dollars a month.

MR. WOOSLEY: Yeah. Well, we found from studying the rates of the county it's just -- they're anywhere from -- in -- near the thirty --

CITIZEN: What about the 4,000-gallon-a-month users? If they use 4,000?

CITIZEN: I'm just looking back at mine ... With

the sewer and all, we're talking probably around $70 a month or a little more, maybe. But there, again, what people don't realize, you can't go out there and wash your automobiles and sprinkle your yards because a person can't afford it. And just -- just for normal usage, bathing, showering and laundry and everything, for three people at my place, I can figure on around a hundred dollars every month. And if you have company coming in or something, then ...

CITIZEN: That includes water, too?

MS. NEWLON: That's water and sewer.

CITIZEN: That's the water and the sewer. And the sewage is based on how much water you use. If you got like a thirty-dollar-a-month water bill, you can probably add another forty dollars on top of that for sewage. That's a ballpark.

CITIZEN: Is that about the same in Laconia, Joe?

CITIZEN: Well, this is my house we're talking about. There's four of us in it. Our water bill runs an average of $30 a month. My sewer bill's thirty-four. But what -- the big catch is to this, I figure everybody that's sitting in here will pay their bill. We've only got 39 hooked on, and 11 of 'em right now is a year or more behind paying their bills. That's where you've got to come up with somethin' to force 'em to pay these

bills other than a tax hike. Our bill, water and sewer together, will average about $60 a month.

CITIZEN: That's pretty reasonable.

CITIZEN: It's tough on a small company when half of 'em won't pay their bills.

MR. WOOSLEY: Right.

CITIZEN: Is this system gonna be treating gray water only or --

MR. WOOSLEY: No.

CITIZEN: -- all waste?

MR. WOOSLEY: It'll be -- The system we would recommend would be total. Did everyone hear that question?

CITIZEN: What you all were talking about a while ago where these people is forced to hook on and everything, we had that to happen like on a house right beside me. The guy wouldn't sign an easement for us to hook him up, and he had a water line within a hundred feet, I imagine, on each side of him, and the day the whole thing went into operation, the Health Department condemned his house and gave the people 10 days to get out. And it's sat there ever since empty. The guy right here beside of me, he knows. So the Health -- County Health Department puts a big deal on that.

CITIZEN: (Inaudible.)

CITIZEN: Ain't nobody there doing that.

CITIZEN: Yeah. What happened there?

MS. NEWLON: Any other questions?

CITIZENS: (No further questions.)

MS. NEWLON: Okay. At this time, then, what we'll do is go into the public hearing part of the -- and then we will open it up briefly after the hearing if there's been any questions that have surfaced.

Do you want me to use the microphone?

THE COURT REPORTER: Just make sure that they come up to talk.

MS. NEWLON: Okay.

THE COURT REPORTER: By the microphone if they need to talk.

MS. NEWLON: Do I need the microphone, or am I talking loud enough?

THE COURT REPORTER: Yeah, I would use it.

MS. NEWLON: Okay.

PUBLIC HEARING

Okay, so I'd like to get things started. Would the official reporter designated for the Hearing please stand and raise your right hand and state your name.

THE COURT REPORTER: My name is Sandra Aich.

MS. NEWLON: Do you solemnly swear or confirm that you will keep complete and true notes (sic) that all

transpires in this hearing and will prepare a complete transcripts (sic) thereof from your notes and faithfully perform all the duties imposed upon you as the official reporter under the laws of the State of Indiana?

THE COURT REPORTER: Yes, I will.

MS. NEWLON: Thank you.

Okay, my name's 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, June 30th, 2005, is before the Department of Environmental Management, henceforth reter -- referred to as either the Department or IDEM, in the matter of the proposed formation of the Harrison County Regional Sewer District. Also with me tonight is Ms. Julie Bye also with the Department.

Oral statements will be heard at this evening's hearing. However, written statements may be submitted to me at the hearing or mailed to: Lynne Newlon, 100 North Senate Avenue, 60 (sic) -40 IGN -- IGCN 1255, Indianapolis, Indiana 46204-2251. I would suggest the addresses on my cards, and I do have cards where the sign-up sheets were, so just grab my card. It does have an address.

For the record, notice and time and place of this

hearing was given as provided by Indiana Code 13-26-2-6 by publication in the Corydon Democrat News and the Clarion News during the weeks of June 6th through the 10th, June 13th through the 17th, and June 20th through the 24th in the year 2005.

Sign-in sheets have been provided. If you have not yet signed in, please do so now. If you wish to present IDEM with information this evening, please indicate on the sign-in sheet. Also indicate if you will be appearing for yourself or on behalf of a group. If you are appearing for a group, please note the name of the group and in what capacity you are appearing, such as a group officer, an attorney, or an authorized spokesperson. Finally, I'd (sic) wish to receive the notice to the agency's decision in this matter, please indicate on the sign-in sheet and be sure to have provided a complete and legible address. It will be public notice once the decision is out, and it will be public notice in the same two newspapers as notice of decision. If you want a personal letter sent to you, you need to see Julie in the back and have her -- and write down your name and address so we can mail that directly to you.

We will then begin hearing testimony regarding the proposed district. Because of the purpose of the

hearing is to allow the public to present information pertinent to the formation of the district, we ask that you hold all questions until the hearing in concluded. I am entering the Petition to Establish the Harrison County Regional District as Exhibit 1.

The hearing officer takes the testimony received at the hearing and drafts the report and makes recommendations whether to approve, disapprove, or to approve conditionally the Petition itself. If the hearing officer recommends approval of the Petition, then a Commissioner's Order, which is a legal document that gives permission to the Petitioner to actually form a sewer district, that (sic) is proposed. If the Commissioner decides to sign that document, then it is mailed to the Petitioner and the district becomes legal 33 days after the Petitioner receives the Order. As of the final decision of any agency, that decision is appealable, and information on how to appeal that decision will be included in the public notice in the newspaper.

And that declude -- concludes the discussion of the process. I'm gonna quickly go through kind of the requirements that are set out through Indiana Code 13-26-2-3 that sets out the requirements for the formation of the district.

The statute requires the following: That the Petition is filed by an eligible entity, and the proposed district name and location of the principal office be stated.

The Petition must state the need for 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 situ -- situation creates or adds pollution or health hazards that impedes development in the area.

The Petition must state if there is any outstanding indebtedness for the purpose proposed.

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

The Petition provides recommendations regarding the make-up of the Board of Trustees and in the manner of selection.

The Petition must state a plan for financing the cost of the operation of the district until it receives revenues from operation or proceeds from bond sales.

The Petition must state an estimated cost of accomplishing the purpose of the district, an estimated cost of operating and maintaining the works, and the sources of funding of these costs, including estimates of the rate and charges to be required.

The Department is extremely interested in any information that can provide re -- to these requirements. All comments, both oral and written, will be reviewed by IDEM and carefully considered in making this decision on this manner.

I will be limiting comments to five minutes so everyone will have an opportunity to be heard. If your testimony exceeds five minutes, I ask that you submit the remaining information to IDEM in written -- in writing postmarked by July 15th in the year 2005.

I believe I have all the sign-in sheets, so we'll start hearing testimony. When I call your name, please approach the microphone. If you -- if I call your name and you no longer wish to testify, please let me know, and those who decide during the hearing that they may wish to testify and not have already, will have the opportunity to speak at the close of the hearing. Please speak clearly, and remember this is being recorded. One must remember to speak one at a time. And I will ask you to come up to the podium to speak,

please.

Ben Jones?

MR. JONES: My questions have been asked and answered already.

MS. NEWLON: Okay. Ben Jones decline. Thank you.

Buck -- I'm not sure. Mathes?

MR. MATHES: Yes. I pass.

MS. NEWLON: You pass? Okay.

Bill Ward?

MR. WARD: My question's been answered.

MS. NEWLON: Okay.

Jerry Hunter?

MR. HUNTER: (Gestures.)

MS. NEWLON: Pass?

MR. HUNTER: Pass.

MS. NEWLON: Catherine Trucoat (ph/sic) -- Colt?

MS. TURCOTTE: Turcotte.

Okay. My name's Catherine Turcotte, I'm a resident of Corydon, Indiana, and I also work for the YMCA, and I'm just here today to say that I think this is an exciting opportunity for Harrison County. I think for job growth, we need sewers and also for enviro -- environmental protection. I wanted to thank our county officials for your hard work to get -- get us to this process. And also wanted go share a story with you.

When we were looking to build the YMCA, of course, we were committed to building it in Harrison County. We were here for Harrison County. And, yet, we looked at 30 potential sites, and there were only a few of them that we could potentially build on because of lack of sewers. And it made me wonder if I represented a business that was not as committed to Harrison County as the Y was, would I have just gone somewhere else.

MS. NEWLON: Thank you.

Alan Pate?

MR. PATE: Pass.

MS. NEWLON: Okay.

Peter or Joan Schnickles (ph/sic)?

MR. PETER SCHICKEL: Schickel.

MS. NEWLON: Sorry. You can both come up. How do you pronounce your last name?

MS. SCHICKEL: Schickel.

MS. NEWLON: Schickel. S-C-H-I-E-K-E-L (sic).

MR. SCHICKEL: (Inaudible.) Thank you.

MS. NEWLON: You're welcome.

MR. SCHICKEL: Thanks for the opportunity. I happen to had -- I had the privilege to serve on a council from '58 through '88, and in '71 the I-64 went through Harrison County. They had a public hearing at Corydon in the courtroom, and they said

that Harrison County should capitalize on the Exit 113 north of Lanesville, and the 105 north of Corydon. Well, there weren't any sewers at Lanesville at that time, and through this formation or creation of the Harrison County Sewer District will be a big plus for Harrison County with the new hospital coming in, and Corydon needs some expansion on their sewers, and it's just a big economic im -- plus for Harrison County. We need smart development and proper growth, and this is one way I think it will serve our needs. Thank you very much.

MS. NEWLON: Watch the cord. Thank you.

Bill Byrd?

MR. BYRD: I pass, but I have a question. Are you gonna take questions later?

MS. NEWLON: After the hearing we will take questions. Yes, sir.

Terry Miller?

MR. MILLER: No.

MS. NEWLON: Okay.

Gregory Albers?

MR. ALBERS: I just have a question for later.

MS. NEWLON: Okay. That's everybody that signed in "yes." Now, I will open the floor up if anyone would

like to come forward and give testimony.

CITIZENS: (No response.)

MS. NEWLON: Okay. In closing I would like to remind everyone that written comments may be submitted to the Department postmarked by July 15th, the year 2005. Once again, the address, please get my cards as you leave. You also can e-mail them to me and I will print them off and consider those as -- as comments as well.

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

So that's the official part. Now we'll take questions again.

QUESTION AND ANSWER SESSION

MS. NEWLON: Yes, sir?

CITIZEN: On the first sheet of your presentation, you referred to Commission or Commissioners. I had a little problem hearing. Are you -- were you referring to the IDEM Commissioner, or were you referring to the County Commissioners?

MS. NEWLON: That would sign off on the Order?

CITIZEN: Right.

MS. NEWLON: Yeah, it's the IDEM Commissioner, which is Thomas Easterly. As hearing officer, I draft

the write-up, the findings of facts, the recommended Order, I send it to our legal within IDEM, they make sure I've dotted my I's and crossed the T's. And then it goes usually with a summary to the Commissioner of IDEM. He will review it, and he will -- it'll ultimately be his signature to say yes or no, with ever -- whatever recommendation is from the hearing officer.

Yes, sir?

CITIZEN: Bob mentioned something about a sewage maintenance program. Could you elaborate a little bit more on what that involves?

MS. NEWLON: Okay. It can be, you know, something new kind of out there, but technically they could put folks on septic maintenance program or even do clusters where maybe we have 10 homes out in an area where it's not gonna be economical, feasible to run pipes. So they could do a cluster system or put those homes on a septic maintenance where then they would either could -- could go out and check. I've also seen where it's been suggested that, say, a homeowner doesn't have the money to replace their septic. They could technically get a loan from the district to repair their septics and then pay the district back, a lot of times, you know, at very low interest. So there's some options out there. Not saying they're gonna do it, --

CITIZEN: It's up to the district.

MS. NEWLON: It's up to that district board. Yes, sir. Did I answer your question?

CITIZEN: Uh-huh (affirmative).

MS. NEWLON: Okay. Any other questions?

CITIZENS: (No further questions.)

MS. NEWLON: Again, I'd like to thank everybody for coming out. I appreciate the school letting us have an air-conditioned room to have this meeting tonight. Feel free to call me with questions. I am not in the office a lot. Leave your number. I will get back with you. So, again, thanks for coming out.

(Whereupon, the above-entitled proceedings were concluded at 7:57 p.m.)

o0o

C E R T I F I C A T E

STATE OF INDIANA)
)
)
COUNTY OF HARRISON)

I hereby certify that the foregoing proceedings were taken down by me, as stated in the caption; and the testimony, questions and answers were reduced to print by me; that the foregoing pages 4 through 45 represent a true, correct, and complete transcript, to the best of my ability, of the evidence given on June 30, 2005, by the above-named witnesses and speakers; and that I am not financially interested in the action.

This, the 12th day of July, 2005.

Sandra D. Aich

Sandra D. Aich, CVR
Certified Verbatim Reporter

Notary Public, State at Large
My commission expires: 06/09/09.