INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:)
)
THE FORMATION OF THE)
HELMSBURG REGIONAL)
SEWAGE DISTRICT)

FINDINGS OF FACT AND RECOMMENDED ORDER OF THE HEARING OFFICER

FINDINGS OF FACT

1. On April 3, 1995, the Brown County Commissioners petitioned the Indiana Department of Environmental Management for an Order establishing a Regional Sewer District to be known as the Helmsburg Regional Sewage District in Brown County.

2. Said Petition complies with the provisions of IC 13-3-2-3.

3. A public hearing was held on September 12, 1995, at the Helmsburg Elementary School, 5378 North Oak Ridge Road, Helmsburg, Indiana.

4. Notice of said hearing was given by publication in a newspaper of general circulation in Brown County for two (2) consecutive weeks prior to said hearing, and by mailing to each eligible entity involved.

5. The proposed name of the District is the Helmsburg Regional Sewage District.

6. The initial principal office of the proposed District would be The Board of Trustees, Helmsburg Regional Sewage District, Indiana, P.O. Box 134, 2347 West State Road 45,

Helmsburg, Indiana 47435. The Trustees of the District may relocate said principal office upon notice to the Indiana Department of Environmental Management.

7. The sanitary sewage needs of those residents now residing within such proposed District are currently being met with individual septic systems and privies, which are inadequate.

8. Upon formation of such District, it would construct and operate a sanitary sewage system that would collect, treat, and dispose of the sanitary sewage of the residents of such District.

9. Such District is needed to permit the construction of a system to collect, treat, and dispose of the sanitary sewage of the residents. The current method of sewage collection and disposal through individual septic systems and privies is deteriorating and is creating current and future health problems for the residents of such proposed District.

10. The current method of collection and disposal of the sanitary sewage of the residents of such proposed District is detrimentally affecting the water quality and public health of the area of the proposed District.

11. The proposed District would include a part of Brown County, Indiana described as follows:

    A part of the Southwest quarter of section 26, the Southeast quarter of section 27, the Northeast quarter of section 34 and the Northwest quarter of section 35, Township 10 North, Range 2 East, as located in Jackson Township, containing approximately 149 acres and including the community of Helmsburg, as legally described in Exhibit " B " of the petition.

12. There is no outstanding indebtedness currently in the proposed District for the purpose of the construction of a sanitary sewer and treatment system.

13. It is proposed that the Board of Trustees of the District shall consist of three (3) members to be appointed by the Brown County Commissioners, initially for staggered terms of one (1), two (2) and three (3) years with subsequent appointments or reappointments being for terms of four (4) years.

14. The estimated cost of construction in the District is $614,686.00. The estimated annual operation and maintenance costs are $13,200.00. The estimated, per household, monthly fee is $20.00, and the estimated connection fee is $550.00.

15. The sources of funding for the initial costs of construction are a grant, not to exceed $500,000.00, from the Indiana Department of Commerce, together with funds provided from Brown County, Indiana, in the approximate amount of $114,686.00.

16. The anticipated sources of funds to provide for the operating and maintenance costs of the District would be from the monthly fees charged to the users of the sewage works.

17. The District would be eligible to apply for Federal and State financial assistance for

construction..

18. The District appears capable of accomplishing the purposes for which it would be formed in an economically feasible manner.

RECOMMENDED ORDER

The Hearing Officer recommends the following:

1. That a Regional Sewer District, to be known as the Helmsburg Regional Sewage District, be organized as an independent political entity of the State of Indiana as a body corporate and political.

2. That the purpose to be accomplished by said District is the collection, treatment, and disposal of sewage from within said District.

3. That the District shall include a part of Brown County, Indiana-described as follows:

   A part of the Southwest quarter of section 26, the Southeast quarter of section 27, the Northeast quarter of section 34 and the Northwest quarter of section 35, Township 10 North, Range 2 East, as located in Jackson Township, containing approximately 149 acres and including the community of Helmsburg, as legally described in Exhibit " B " of the petition.

4. That the Board of Trustees of the District shall consist of three (3) members to be appointed by the Brown County Commissioners, initially for staggered terms of one (1), two (2) and three (3) years with subsequent appointments or reappointments being for terms of four (4) years.

5. That the Board of Trustees provide sufficient bond for all officers, trustees or employees who have any power to disburse funds of the District.

6. That within nine (9) months from the date of this order, the District shall file, with the Commissioner of the Indiana Department of Environmental Management, a detailed plan for the construction and operation of the District's facilities.

Dated: November 3, 1995 Hearing Officer: R. J. Henley