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PETITION TO THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR THE ESTABLISHMENT OF THE HELMSBURG REGIONAL SEWAGE DISTRICT

Comes now the Board of Commissioners of Brown County, Indiana, and having first obtained the authorization of the County Council of Brown County, Indiana, as evidenced by the minutes of the meeting of the Brown County Council held on the 22nd day of June, 1994, and pursuant to I.C. 13-3-2, petitions the Indiana Department of Environmental Management to approve the establishment of a regional sewage district, and in support thereof would respectfully show as follows:

1. The proposed name of the district shall be The Helmsburg Regional Sewage District.

2. The principal offices of the district will be located within the district. ADDRESS

3. A need exists for the establishment of a regional sewage district to collect, treat and dispose of sewage in and around Helmsburg, Indiana. Currently, sewage disposal in the area is accomplished through the use of privies and septic tanks. Some septic systems are failing. At this time, there are in excess of five failed septic systems. At least one residence has been condemned and another residence has been declared unfit for human habitation, all because of failed, inadequate or non-existent septic systems. It is anticipated that additional septic failures will occur on a fairly regular basis in the future unless an adequate collection and disposal system can be created. Further,

the Brown County Health Department has noted exceedingly high fecal coloform counts in an open drain running adjacent to the north side of the railroad tracks in the southern area of the proposed district. Visual inspections disclose that a number of the residences have no absorption fields whatsoever and that the septic tanks or house drains are allowed to dump raw sewage directly onto the surface of the ground. This occurrence creates a substantial health hazard to the residents of the area. If a regional sewage district is created, and if the proposed sewage system is installed, the residents will be required to connect to the system. This will, therefore, alleviate the problems now being caused due to raw sewage being released into the environment. The health hazards associated with high fecal coloform bacteria counts will also be eliminated. The residences which have been condemned due to lack of adequate sewage disposal systems will again become habitable. The lack of an adequate system for the collection, treatment and disposal of sewage in the Helmsburg area is impeding the growth of that area in that neither residences nor businesses can be built and occupied if there is not an adequate sewage disposal system. Many areas in the proposed district are not suitable for onsite waste disposal systems regardless of how those systems are designed and installed. There is no outstanding indebtedness known to the petitioner connected with the purpose proposed in this petition.

4. A description of the territory to be included in the district is attached hereto as Exhibit "B". The territory to be included is contiguous and is not currently served with sanitary sewers.

5. The petitioner recommends that if the district is allowed to be established, that a board of directors shall be appointed by the Commissioners for terms not exceeding four (4) years, and that the number of directors shall be three (3).

6. The proposed district will incur no costs until such time as the district is formed, and further, until such time as grant monies and anticipated bond proceeds are actually received. Payment for all preliminary work done on behalf of the district is expressly made contingent upon the actual receipt of grant monies and bond money in a sum sufficient to pay all preliminary costs, as well as pay all costs associated with the construction of the necessary sewage works.

7. The estimated costs for accomplishing the purpose of the district are $614,686.00. The estimated annual operating and maintenance costs of the sewage works is $13,200.00. 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. 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. The estimated monthly rates and charges to all users are $20.00 per month, per household.

WHEREFORE, your petitioner respectfully requests that the Indiana Department of Environmental Management accept this petition and hold further proceedings upon said petition pursuant to law, and authorize the creation of the Helmsburg Regional Sewage District.

DATED THIS 3 DAY OF Apr. L, 1995.

BOARD OF COMMISSIONERS,
BROWN COUNTY, INDIANA

BY: _____
Jerry Floyd, President

_____
James R. Owens, Member

_____
James Crane, Member

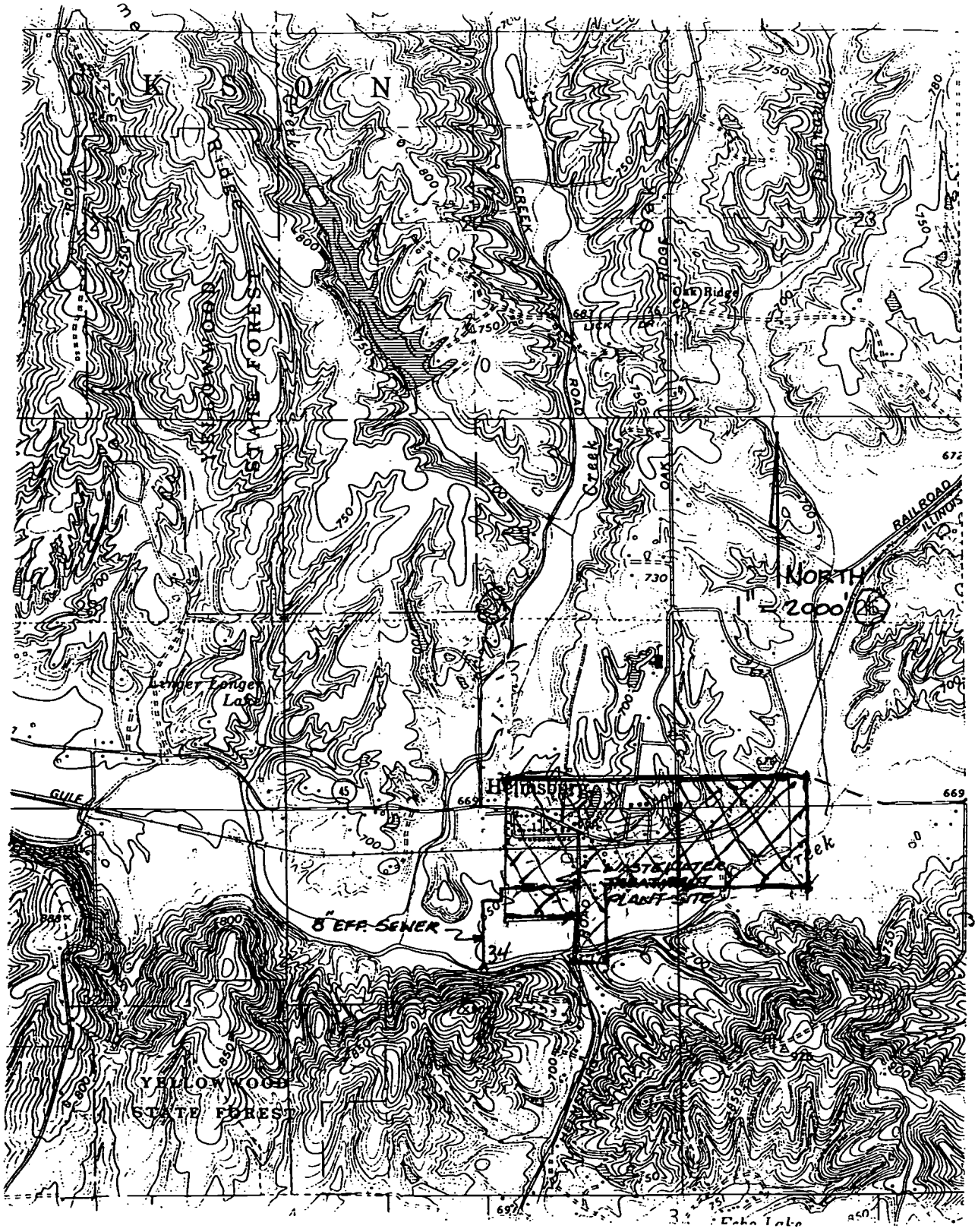
EXHIBIT "B"

LEGAL DESCRIPTION

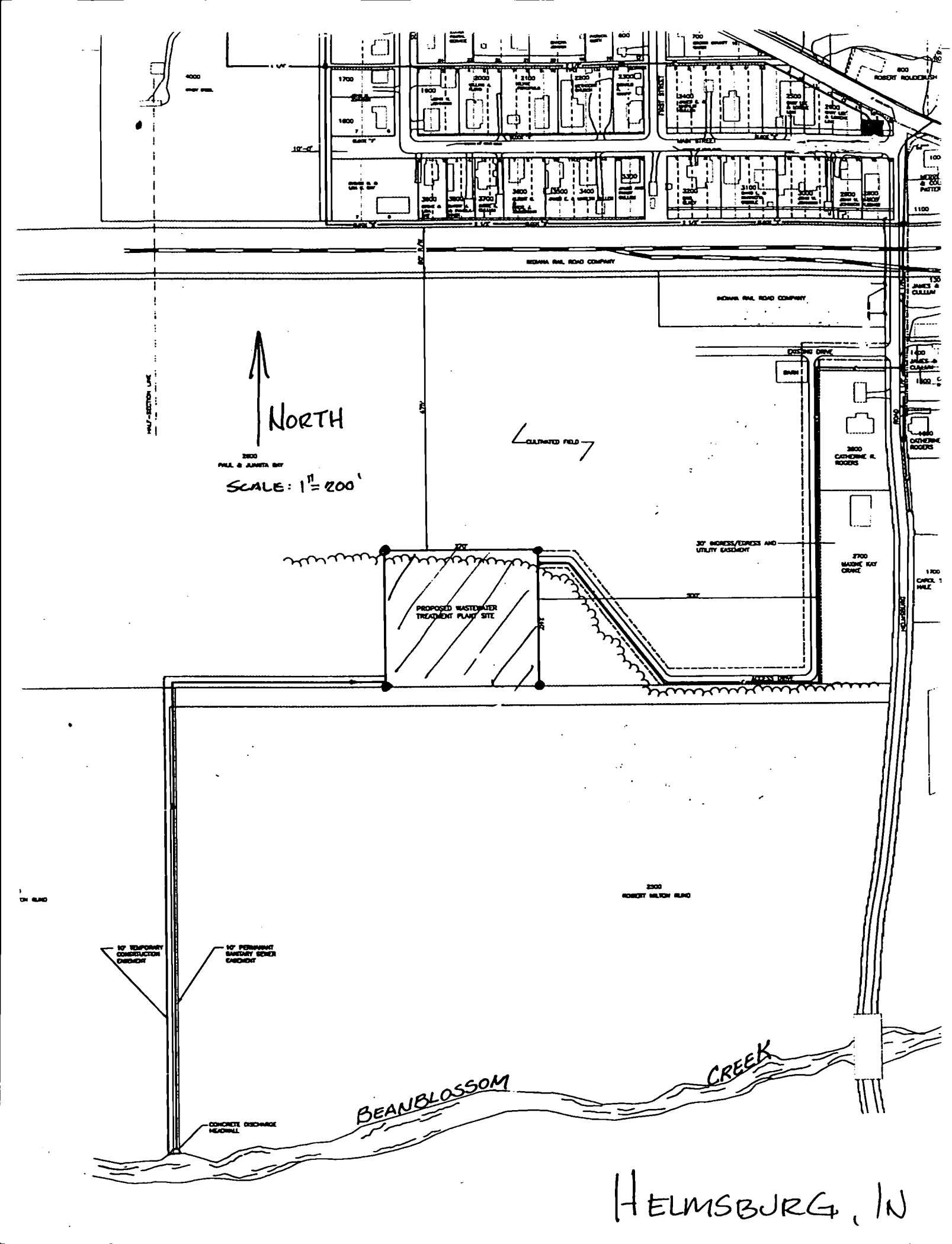
HELMSBURG REGIONAL SEWAGE DISTRICT

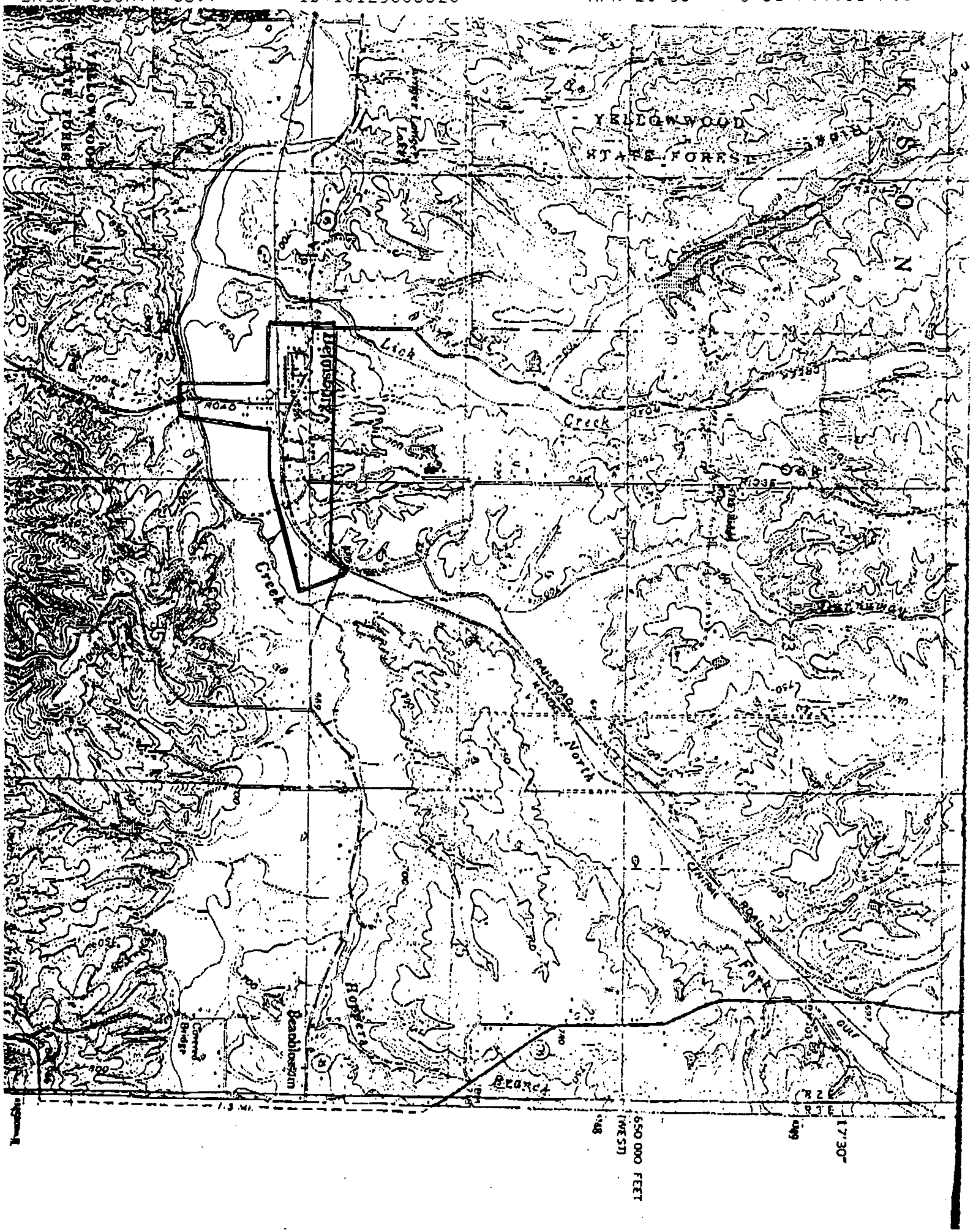
A part of the Southwest quarter of section 26, the Southeast quarter of section 27, the Northeast quarter of section 34 and the Northwest quarter of section 35, Township 10 North, Range 2 East, as located in Brown County, Indiana and as more particularly described below:

Commencing at a point which is the Northeast corner of Section 34; thence South on and along the East line of Section 34, 1,000 feet to the Point of Beginning; thence West running parallel with the North line of Section 34, 1,000 feet to a point; thence South running parallel with the East line of Section 34, 1,100 feet to a point; thence West running parallel to the North line of Section 34, 640 feet to a point; thence North running parallel to the East line of Section 34, 716 feet to a point; thence West running parallel with the North line of Section 34, 1,000 feet to a point; thence North running parallel to the East line of Section 34, 1,984 feet to a point; said point being approximately 600 feet North of the Northwest corner of the Northeast quarter of Section 34; thence East running parallel to the North line of Section 34 to a point of intersection with the East line of section 27 a distance of approximately 2,640 feet; thence continuing East on a line parallel to the North line of section 35 a distance of 1,500 feet to a point; thence South running parallel to the East line of Section 34, 1,600 feet to a point; thence West running parallel to the North line of Section 35 to the point of beginning a distance of approximately 1,500 feet, constituting an area containing 149.22 acres, more or less.



LOCATION MAP
(MORGANTOWN U.S.G.S. QUAD)


NORTH
SCALE: 1" = 200'
INDIANA RAIL ROAD COMPANY
INDIANA RAIL ROAD COMPANY
CULTIVATED FIELD
PROPOSED WASTEWATER TREATMENT PLANT SITE
30' INGRESS/EGRESS AND UTILITY EASEMENT
10' TEMPORARY CONSTRUCTION EASEMENT
10' PERMANENT SANITARY SEWER EASEMENT
CONCRETE DISCHARGE HEADWALL
BEANBLOSSOM CREEK
HELMSBURG, IN


YELLOWWOOD
STATE FOREST
Lick
Creek
ROAD
Creek
RAILROAD
Beadblossom
Branch
650 000 FEET
(WEST)

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RESOLUTION AUTHORIZING APPLICATION SUBMISSION
AND
LOCAL MATCH COMMITMENT

RESOLUTION OF THE COMMISSIONERS OF BROWN COUNTY, INDIANA, AUTHORIZING THE SUBMITTAL OF THE PLANNING GRANT APPLICATION TO THE INDIANA DEPARTMENT OF COMMERCE AND ADDRESSING RELATED MATTERS

WHEREAS, the Commissioners of Brown County, Indiana recognize the need to stimulate growth and to maintain a sound economy within the Helmsburg Community; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, authorizes the Indiana Department of Commerce to provide grants to local units of government to meet the housing and community development needs of low and moderate income persons; and

WHEREAS, the Commissioners of Brown County, Indiana have conducted or will conduct public hearings prior to the submission of an application to the Indiana Department of Commerce, said public hearing to assess the housing, public facilities and economic needs of its low and moderate income residents;

NOW THEREFORE, BE IT RESOLVED by the Commissioners of Brown County, Indiana that:

1. The President is authorized to prepare and submit an application for grant funding to address (the design and construction of a wastewater collection and treatment facilities to serve the Community of Helmsburg, Brown County, Indiana), and to execute and administer a resultant grant including requisite general administration and project management, contracts and agreements pursuant to regulations of the Indiana Department of Commerce and the United States Department of Housing and Urban Development.

2. The Commissioners of Brown County, Indiana hereby commit the requisite local funds in an amount not to exceed one hundred fourteen thousand six hundred eighty-six dollars ($114,686), in the form of cash, as matching funds for said program, such commitment to be contingent upon receipt of funding from the Indiana Department of Commerce.

Adopted by the Commissioners of Brown County, Indiana this 12th day of April 1995, at 5:00 p.m.

Jerry Floyd, President
Brown County Commissioners

DATE 4-12-95

Kathi S. Smith
ATTEST Brown Co. Auditor

DATE 4-12-95

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