



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

John M. Hamilton
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

FEB 09 REC'D

Notice of Decision

You are hereby notified that the Commissioner of the Indiana Department of Environmental Management signed on January 30, 1998, the final Order creating the Lake Santee Regional Waste District pursuant to IC 13-26-2-10, and based upon the Findings of Fact and Recommended Order of the hearing officer in this matter.

The final Order, as well as the hearing officer's Findings of Fact and Recommended Order, are on file at the Greensburg Public Library, in Greensburg Indiana. Additionally, upon effectiveness of the final Order, these documents will be on file at the principal office of the District: 13 SW Wrenn, Greensburg, IN 47240.

Pursuant to IC 13-26-2-11, IC 4-21.5-3-2, and IC 4-21.5-5-5, the Final Order becomes effective thirty-three (33) days after service through the United States mail, unless a petition for judicial review is filed before or on the thirty-third (33rd) day. If you wish to challenge this decision, standing and substantive requirements of the verified petition for review are specified in IC 4-21.5-5-3 and IC 4-21.5-5-7, respectively. Pursuant to IC 4-21.5-5-9, a person seeking judicial review of the final Order may, by filing a verified petition, request an order of the court staying the Order pending a decision by the court.

FEB 09 REC'D



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STATE OF INDIANA)		BEFORE THE INDIANA DEPARTMENT
)	SS:	OF ENVIRONMENTAL MANAGEMENT
COUNTY OF MARION)		
IN THE MATTER OF:)		
)		
THE FORMATION OF THE)		
)		
LAKE SANTEE REGIONAL)		
)		
WASTE DISTRICT)		

ORDER ADOPTING THE FINDINGS OF FACT
AND RECOMMENDED ORDER OF THE HEARING OFFICER
FOR THE ORGANIZATION OF THE
LAKE SANTEE REGIONAL WASTE DISTRICT

Notice is hereby given that the Hearing Officer has filed with the Commissioner of the Indiana Department of Environmental Management (Commissioner) the "FINDINGS OF FACT AND RECOMMENDED ORDER" relative to the petition requesting organization of the Lake Santee Regional Waste District. Said Findings and Recommended Order are attached to this ORDER, and consists of 6 pages.

And the Commissioner, having reviewed the attached "FINDINGS OF FACT AND RECOMMENDED ORDER" of the Hearing Officer, now determines that the organization of the proposed District complies with the conditions of IC 13-26, and that the proposed District appears capable of accomplishing its purpose in an economically feasible manner.

IT IS NOW ORDERED BY THE COMMISSIONER that the Lake Santee Regional Waste District be organized as an independent municipal corporation pursuant to the terms and conditions set forth in the attached "FINDINGS OF FACT AND RECOMMENDED ORDER" which are adopted and approved, and deemed incorporated in this ORDER, as though set out in full.

Pursuant to IC 13-26-2-11), IC 4-21.5-3-2 and IC 4-21.5-5-5, this order becomes effective thirty-three (33) days after service through the United States mail, unless a petition for judicial review is filed before or on the thirty-third (33rd) day. Standing and substantive requirements of the verified petition for review are specified in IC 4-21.5-5-3 and IC 4-21.5-5-7, respectively. Pursuant to IC 4-21.5-5-9, a person seeking judicial review of this Order may, by filing a verified petition, request an Order of the court staying this Order, pending a decision by the court.

1998 All of which is ORDERED at Indianapolis, Indiana this 30th day of January,



Commissioner
Indiana Department of
Environmental Management



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Lori F. Kaplan
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NOV 15 REC'D

Notice of Decision

You are hereby notified that the Commissioner of the Indiana Department of Environmental Management signed on November 7, 2001, the First Order Modifying the Order forming Lake Santee Regional Waste District pursuant to IC 13-26-2-10, and based upon the Findings of Fact and Recommended Order of the hearing officer in this matter.

The Final Order of Modification is on file at the Greensburg Public Library in Greensburg Indiana. Additionally, upon effectiveness of the final Order, these documents will be on file at the principal office of the District: 13 SW Wrenn Parkway, Greensburg, Indiana, 47240.

Pursuant to IC 13-26-2-11, IC 4-21.5-3-2, and IC 4-21.5-5-5, the Final Order becomes effective thirty-three (33) days after service through the United States mail, unless a petition for judicial review is filed before or on the thirty-third (33rd) day. If you wish to challenge this decision, standing and substantive requirements of the verified petition for review are specified in IC 4-21.5-5-3 and IC 4-21.5-5-7, respectively. Pursuant to IC 4-21.5-5-9, a person seeking judicial review of the final Order may, by filing a verified petition, request an order of the court staying the Order pending a decision by the court.

NOV 15 REC'D
2001



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

NOV 28 REC'D

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STATE OF INDIANA)
)
COUNTY OF MARION)

SS:

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)
THE MODIFICATION OF THE)
LAKE SANTEE REGIONAL)
WASTE DISTRICT)

FIRST ORDER MODIFYING THE ORDER FORMING
THE LAKE SANTEE REGIONAL WASTE DISTRICT

The Lake Santee Regional Waste District (District) has petitioned the Indiana Department of Environmental Management (IDEM) to amend the Recommended Order (Order) dated January 30, 1998. The District has requested to add the purpose of serving water within the District. The District has also requested to change its name to reflect the service of providing water. Finally, the District has proposed means to address vacancies and selection of its board of trustees.

The Commissioner of IDEM now orders that the Order is amended as follows:

1. The name of the District shall be the Lake Santee Regional Waste and Water District.
2. In the event there is a vacancy of a member on the Board of Trustees, the Decatur and the Franklin County Commissioners, in accordance with Indiana Code 13-26-4 *et seq.*, shall appoint a replacement member to serve the balance of the replaced person's term.

3. The District shall have five (5) trustees.

The Decatur County Commissioners shall appoint four (4) trustees to serve as follows:

The first two (2) trustees appointed shall serve terms of four (4) years;
The next one (1) trustee appointed shall serve a term of three (3) years; and
The remaining one (1) trustee appointed shall serve a term of two (2) years.

The Franklin County Commissioners shall appoint one (1) trustee to serve a term of four (4) years.

Each member of the Board of Trustees shall be an owner of property in the District.

The terms of the trustees shall expire on the first day of January in the year following the conclusion of their initial term of their appointment, as set forth above. Thereafter, as terms expire, each trustee shall be appointed for a four year term.

4. The District shall expand its purpose to include the provision of a water supply. IDEM will adopt this proposed addition to the District's purpose subsequent to approval of the transaction by all relevant regulatory bodies, including the Indiana Utility Regulatory Commission (IURC). Further, any transfer of rights from Lake Santee Water Utility Inc. to the District must be in accordance with any and all state and federal laws.

In all other respects, Lake Santee Regional Waste and Water District will remain subject to the terms of the original Order entered on January 30, 1998.

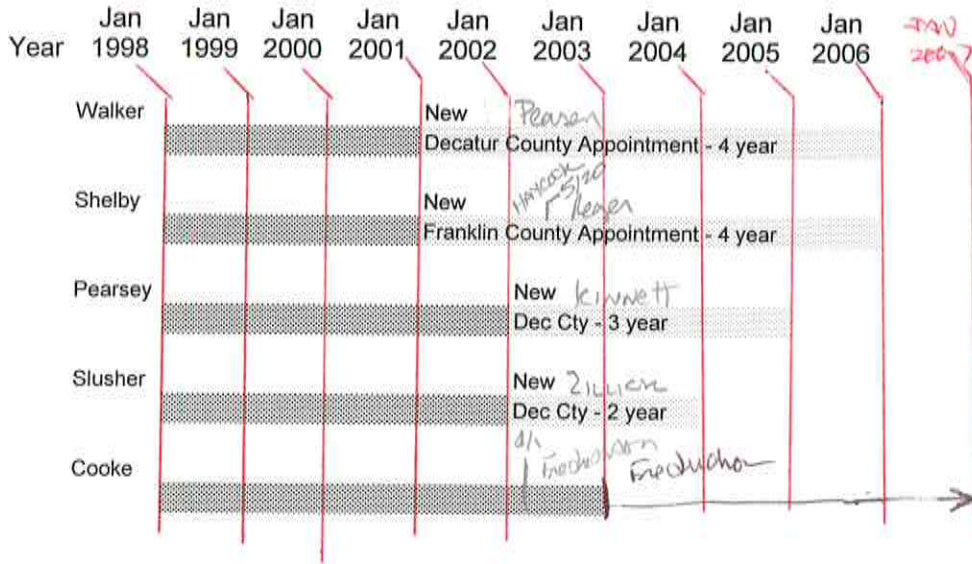
Under IC 4-21.5-3-5(f), this Order becomes effective (18) days after its mailing. If you wish to challenge this decision, IC 4-21.5-3-7 requires that a petition for administrative review is filed. This petition describing your intent must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, Indiana 46204, within eighteen (18) days from the mailing of this notice. This petition must be filed in accordance with IC 4-21.5-3-7, and must include facts demonstrating that the petitioner is the applicant, a person aggrieved by this decision, or a person entitled to review by law.

Pursuant to IC 4-21.5-3-5, the Office of Environmental Adjudication will provide the petitioner, or any other persons requesting notice, with notice of any prehearing conference, preliminary hearing, hearing, stay or orders disposing of the petition for review if a written request for such notice is submitted to the Office of Environmental Adjudication, at the above address.

Dated at Indianapolis, Indiana, this 7th day of November, 2001.

Lori F. Kaplan

Lori F. Kaplan
Commissioner
Indiana Department of
Environmental Management





Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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STATE OF INDIANA)
COUNTY OF MARION) SS: BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)
THE MODIFICATION OF THE)
LAKE SANTEE REGIONAL)
WASTE AND WATER DISTRICT)

SECOND ORDER MODIFYING THE ORDER FORMING
THE LAKE SANTEE REGIONAL WASTE AND WATER DISTRICT

The Lake Santee Regional Waste and Water District Board of Trustees (Board of Trustees) has petitioned the Indiana Department of Environmental Management (IDEM) to amend the Recommended Order (Order) dated January 30, 1998. On August 21, 2003, the Board of Trustees, through a letter from Anne Hensley Poindexter, the attorney for the Lake Santee Regional Waste District (District), in accordance with Indiana Code 13-26, petitioned to amend the Order to permit it to restructure the Board of Trustees. IDEM recognizes this August 21, 2003 letter and its attachments as a formal petition.

On November 7, 2001, IDEM modified the First Order forming the District to change the name of the District to the Lake Santee Regional Waste and Water District; establish a vacancy procedure for the Board of Trustees; clarify the composition of the Board of Trustees; and add the provision of water to the District's purposes. In all other respects, Lake Santee Regional Waste and Water District remained unchanged and subject to the terms of the original Order entered on January 30, 1998.

Now, pursuant to Indiana Code 13-26-1-2, the Board of Trustees petitions IDEM to expand its membership from five (5) members to seven (7) members. This change, the petition asserts, is necessary to satisfy the District's desire to better conduct its business and provide for more meaningful committees of its trustees.

The Commissioner of IDEM now orders that the Order dated January 30th, 1998, forming the Lake Santee Regional Waste and Water District, be amended to allow the District to expand membership on its Board of Trustees from five (5) to seven (7) members. The Franklin County Commissioners will continue to appoint one (1) trustee and the Decatur County Commissioners will continue to appoint the remaining positions on the board or six (6)

trustees. In all other respects, Lake Santee Regional Waste and Water District will remain subject to the terms of the Order dated January 30, 1998.

Pursuant to IC 13-26-2-11, IC 4-21.5-3-2 and IC 4-21.5-5-5, this Order modifying the Order forming the Lake Santee Regional Waste and Water District becomes effective thirty-three (33) days after service through the United States mail, unless a petition for judicial review is filed before or on the thirty-third (33rd) day. Standing and substantive requirements of the verified petition for review are specified in IC 4-21.5-5-3 and IC 4-21.5-5-7, respectively. Pursuant to IC 4-21.5-5-9, a person seeking judicial review of this Order may, by filing a verified petition, request an order of the court staying this Order, pending a decision by the court.

Dated at Indianapolis, Indiana this 10TH day of February, 2005.



Thomas W. Easterly
Commissioner
Indiana Department of
Environmental Management



fitchell E. Daniels, Jr.
Governor

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Commissioner

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IN THE MATTER OF)
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Dated at Indianapolis, Indiana this 10TH day of February, 2005.

A handwritten signature in black ink, appearing to read 'T. W. Easterly', written over a horizontal line.

Thomas W. Easterly
Commissioner
Indiana Department of
Environmental Management

CAMPBELL KYLE PROFFITT LLP
ATTORNEYS AT LAW

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STEPHENIE K. GOOKINS

FRANK S. CAMPBELL
(1880-1964)

FRANK W. CAMPBELL
(1916-1991)

ROBERT F. CAMPBELL
(1946-2004)

February 24, 2005

Darrow McCreary
Lake Santee Regional Waste & Water District
13 SW Wrenn Parkway
Greensburg, IN 47240

RE: *Lake Santee Regional Waste and Water District*
Our File No.: 06084-001

Dear Darrow:

Enclosed please find the most recent Order I received from Indiana Department of Environmental Management ("IDEM") concerning the expansion of the Board. As we have discussed, they never found their prior Order, and so they have simply issued a new one. Despite the fact the Order does not specifically state it is retroactive, I have no concerns about the operation during the interim with the seven (7) board members since the Petition was not contested and since there have been no real disputed issues where an issue was decided by a divided Board. If you have questions or concerns, please feel free to give me a call.

Very truly yours,

CAMPBELL KYLE PROFFITT LLP

[Dictated But Read]

Anne Hensley Poindexter

AHP:vic
Enclosure



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February 15, 2005

Anne Hensley Poindexter
Campbell Kyle Proffitt LLP
11595 North Meridian
Suite 701
Carmel, Indiana 46032

RE: Lake Santee Regional Waste and Water District
Expansion of Board of trustee Members

Dear Anne:

Enclosed please find the Second Order Modifying the Order Forming the Lake Santee Regional Waste and Water District. If you need any additional information or have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Lynne Newlon". The signature is written in black ink and is positioned above the printed name.

Lynne Newlon