

STATE OF INDIANA

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Dept. of Environmental Mgmt.
Commissioner's Office

APR 02 1997

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

**PETITION FOR ORGANIZATION OF A
REGIONAL WASTE DISTRICT**

The Commissioners of Decatur County (the "Commissioners") hereby file this Petition with the Indiana Department of Environmental Management for the establishment of a regional waste district pursuant to Indiana Code 13-26-2, et. seq. In support of their Petition, the Commissioners state as follows:

1. The proposed regional waste district shall be known as the "Lake Santee Regional Waste District".
2. The principal offices of the proposed district will be located at 13 SW Wrenn Parkway, Greensburg, Indiana 47240.
3. The proposed district is necessary for the improvement of the health and welfare of the residents within the proposed district in order to adequately provide for the collection, treatment and disposal of sewage within the district in a manner superior to the many individual private septic systems currently failing.
4. The proposed district is necessary inasmuch as development within the proposed district has been detrimentally impacted by the lack of centralized waste water

collection and treatment service inasmuch as septic permits are not available for many lots within the District.

5. The area to be contained within the proposed district is as follows: (see map attached hereto and incorporated herein as Exhibit "A").

6. The Petitioners recommend that the proposed district shall be governed by a Board of Trustees of five (5) in number. The Board of Directors shall be elected by the voters in the district (except as hereinafter provided). Each member of the Board of Directors shall be an owner of property within the District and shall serve a four (4) year term except that the initial Board of Directors appointed by the County Commissioners shall serve as follows:

- A. The first two (2) directors appointed shall serve terms of two (2) years;
- B. The next two (2) directors appointed shall serve terms of three (3) years;
and
- C. The remaining initially appointed directors shall serve a term of
four (4) years.

The terms of the original directors shall expire on the first day of January in the year following their appointment. Thereafter, as terms expire, each director shall be elected for a four (4) year term.

7. The plan for financing the cost of the operations of the district until the district is in receipt of revenue from operations or proceeds from the sale of bonds is the advancement of funds by the Lake Santee Property Owners Association.

8. The cost of accomplishing the purposes of the district is estimated at Five Million Two Hundred Eighty-One Thousand Dollars (\$5,281,000.00).

9. The cost of operating and maintaining the works of the district is One Hundred Seventeen Thousand Dollars (\$117,000.00) annually.

10. The sources for funding the capital costs referenced herein will be a combination of federal grant and loan proceeds from Farmers Home Loan Association or other federal or state agency.

11. There is currently outstanding a Nineteen Thousand Five Hundred Dollars (\$19,500.00) indebtedness for the purposes of the proposed district. (\$10,500.00 - report; \$1,000.00 - archeological; \$4,000.00 - archeological dig; and \$4,000.00 - application costs).

12. The undersigned Petitioners request that the Indiana Department of Environmental Management determine this Petition to be sufficient, and pursuant to Indiana Code 13-26-2-5 to appoint a hearing officer to act upon this Petition as required by law.

WHEREFORE, your Petitioners pray for the relief set forth above.

Respectfully submitted,

THE DECATUR COUNTY COMMISSIONERS

By: _____

John R. Moore

Thomas Menkedick

Mark Stastny

C:\AHPLAKESANTPETITION.ORG.6084-1

LEGEND

- NODE # AND LOCATION
- ⑩ ——— ⑨ PROPOSED MAIN INTERCEPTOR SEWER
 - ⑬ PROPOSED BRANCH LINE SERVING LAKE FRONT AREA HOMES
 - ⑮ PROPOSED BRANCH LINE SERVING HOMES OUTSIDE OF LAKEFRONT AREA
 - EXISTING HOME

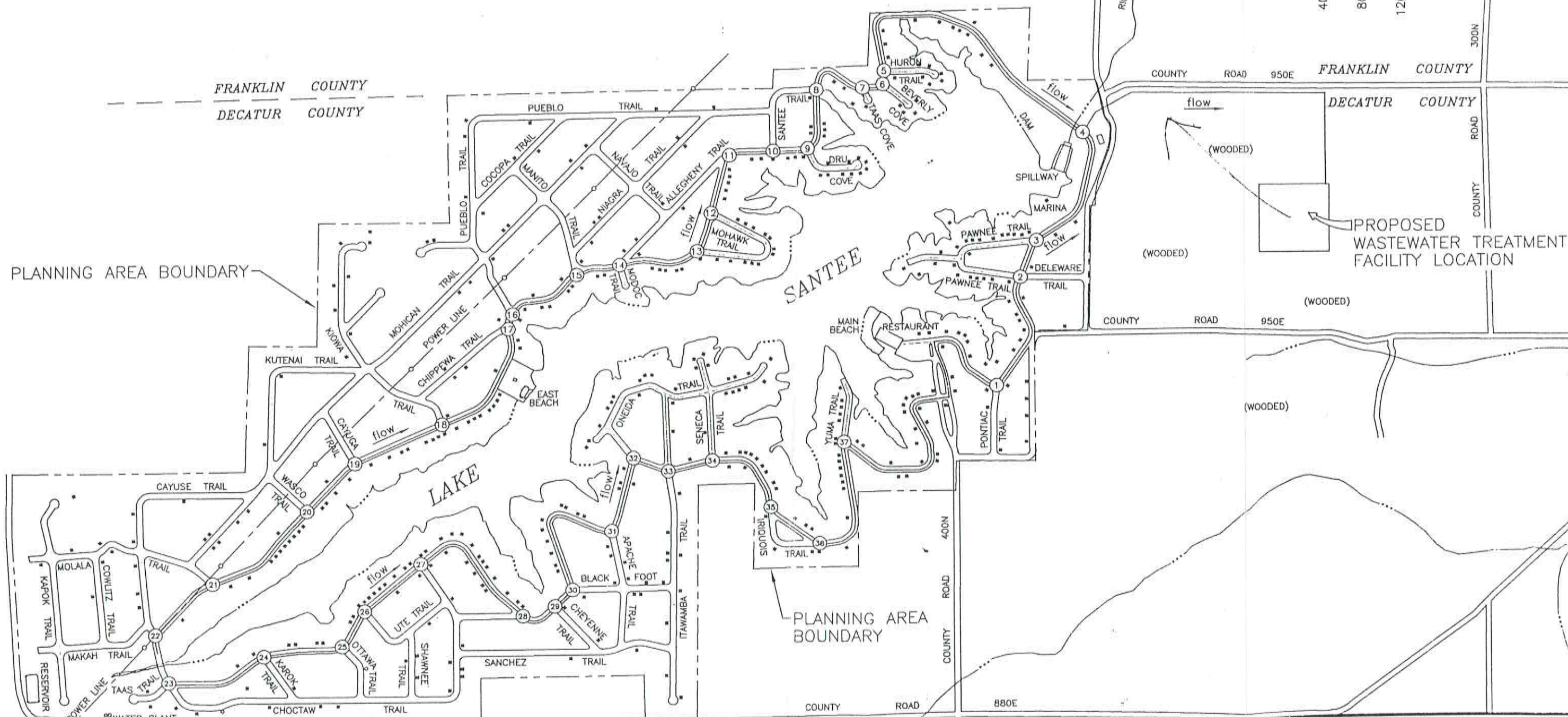


FIGURE NO. 6
COLLECTION AND TREATMENT SYSTEMS LAYOUT
LAKE SANTEE, INDIANA

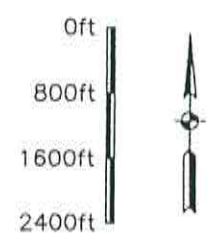
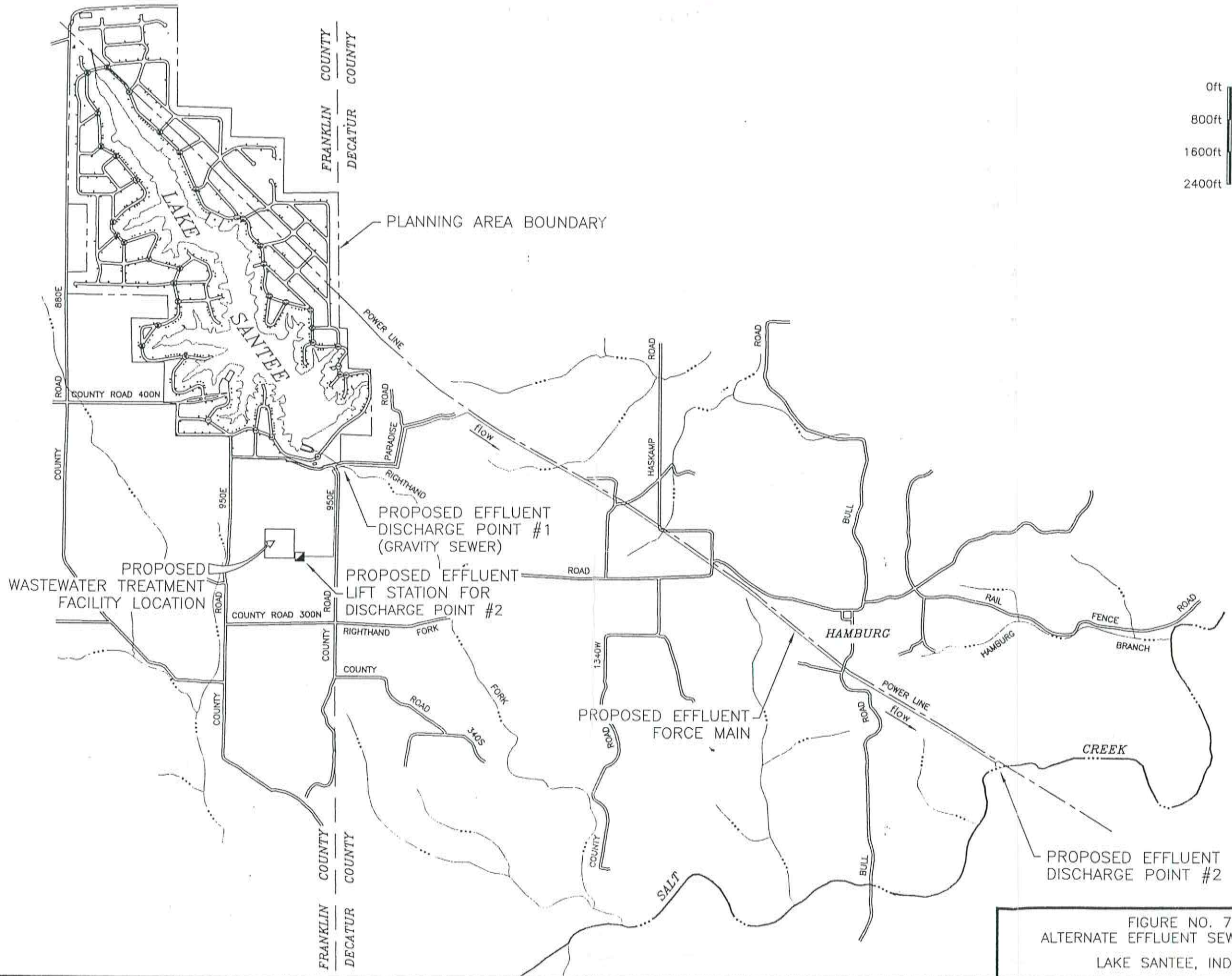


FIGURE NO. 7
 ALTERNATE EFFLUENT SEWER ROUTES
 LAKE SANTEE, INDIANA

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

IN THE MATTER OF:)
)
 THE FORMATION OF THE)
 LAKE SANTEE REGIONAL)
 WASTE DISTRICT)

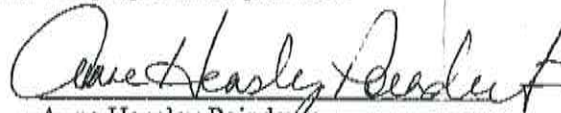
**PETITION TO AMEND THE ORDER
 ADOPTING THE FINDINGS OF FACT AND RECOMMENDED ORDER
 OF THE HEARING OFFICER FOR THE ORGANIZATION OF THE
 LAKE SANTEE REGIONAL WASTE DISTRICT**

Comes now the Board of Trustees of the Lake Santee Regional Waste District, by counsel, Anne Hensley Poindexter, and petitions to amend the order dated January 30, 1998 in order to address director vacancies of the Board of Trustees.

That paragraph 4 of the recommended order which was adopted and appeared in the order dated January 30, 1998 be amended to include the following provision to address vacancies of the Board of Trustees as follows:

“In the event there is a vacancy of a director on the Board of Trustees, a replacement shall be selected by the Decatur County Commissioners. Said replacement shall serve the balance of the term.”

WHEREFORE, the petitioner prays that the order dated January 30, 1998 be amended and for all other relief which is just and proper in the premises.



Anne Hensley Poindexter
 Attorney for Lake Santee Regional
 Waste District
 State Bar No: 14051-29

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 PROFFITT
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 TELEPHONE NO.
 (317) 846-6514

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:)
)
THE FORMATION OF THE)
LAKE SANTEE REGIONAL)
WASTE DISTRICT)

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

Comes now the Board of Trustees of the Lake Santee Regional Waste District, by counsel, Anne Hensley Poindexter, and pursuant to I.C. 13-26-1-2 hereby petitions the Department to modify the purposes of the District as specifically set forth below.

1. The Lake Santee Regional Waste District was previously established by Order dated January 30, 1998, for the sole purpose of the collection, treatment and disposal of sewage inside and outside the District.
2. The water supply for the residents of the District is provided currently by the Lake Santee Water Utility.
3. Presently, the Lake Santee Water Utility has problems with its water supply, has problems with its water treatment plant and has inadequate water storage and has not fully met the needs of the District's residents.
4. The District is desirous of expanding its purposes to include the provision of a water supply pursuant to I.C. 36-26-1-1(1).
5. In the event the Department grants the District's petition herein, the name of the District should be amended hereafter to be the Lake Santee Regional Waste & Water District.

WHEREFORE, the Petitioner prays the Department approve the requests set forth above and for all other relief just and proper in the premises.

Respectfully Submitted,

CAMPBELL KYLE PROFFITT

By: _____

Anne Hensley Poindexter
Attorneys for Lake Santee
Regional Waste District
Attorney No. 14051-29

RESOLUTION NO. 2000-08
BY
THE FRANKLIN COUNTY BOARD OF COMMISSIONERS

Be it resolved, that the Board of Commissioners of Franklin County, does hereby approve, authorize, endorse and support the modification of the Lake Santee Regional Sewer District to add the provision of water supply to the service of the unincorporated, platted area known as Lake Santee.

APPROVED: *Louis E. Linkel*
Robert O. Brack
Thomas E. Wilson
FRANKLIN COUNTY COMMISSIONERS

ATTEST: *Carol G. Dewar*
FRANKLIN COUNTY AUDITOR

DATED: *July 3, 2000*

RESOLUTION NO. 2000-7
BY
THE DECATUR COUNTY BOARD OF COMMISSIONERS

Be it resolved, that the DECATUR COUNTY BOARD OF COMMISSIONERS, does hereby approve, authorize, endorse and support the modification of the Lake Santee Regional Sewer District to add the provision of water supply to the service of the unincorporated, platted area known as Lake Santee.

Approved: Therese Menkalis

Attested: Janet D Chadwell

Dated: July 3, 2000

COPY



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

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www.state.in.us/Idem

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)

DRAFT

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

The Lake Santee Regional Waste District (District) has requested to amend its Recommended Order. 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 the selection of, its board of trustees.

The Commissioner of the Indiana Department of Environmental Management (IDEM) now orders that the Order dated January 30, 1998, be amended as follows:

1. The name of the District shall now be call Lake Santec Regional Sewer and Water District.
2. In the event there is a vacancy of a Director on the Board of Trustees, a replacement shall be appointed by the Decatur County Commissioners. Said replacement shall serve the balance of the replaced person's term.
3. The District shall still have five (5) trustees. The Board of Trustees shall be appointed by the Decatur County Commissioners and shall serve as follows:
 - A. The first two (2) trustees appointed shall serve terms of two (2) years;
 - B. The next two (2) trustees appointed shall serve terms of three (3) years;
 - C. The remaining appointed trustee shall serve a term of four (4) years.

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 Sewer 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(d). The Office of Environmental Adjudication will provide the petitioner, or any other persons requesting notice, with notice of prehearing conferences, preliminary hearings, hearing stays 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 _____ day of _____, 2001.

DRAFT

Lori F. Kaplan
Commissioner
Indiana Department
Environmental Management