

IDEM Petition for Formation of a Regional Sewer District Draft Submission Updated Supporting Documents Memo

To: Indiana Department of Environmental Management
From: Dubois County Indiana Commissioners (drafted by Clark Dietz)
Date: Originally Submitted December 2, 2022; Revised Submission March 24, 2023
Subject: IDEM Petition for Formation of Regional Sewer District (Draft)
Prepared By: Mary Austin, Clark Dietz

This document is being submitted to IDEM for the purpose of Dubois County's formation of the Dubois County Regional Sewer District

List of Documents Included

- Petition to Form a Regional Sewer District (draft)
- Resolution to form a regional sewer district and submit petition to IDEM.
- Copy of the Advertisement for the public hearing
- Affidavits for publication to advertise for the public hearing from:
 - The Herald
 - Ferdinand News
- Copy of the letter send to all property owners affected by the first infrastructure project notifying them of the public hearing (English version, Spanish version, and Government Agency version).
- List of the addresses for the property owner notification letter (residential property owners and government agencies)
- Official minutes from the County Commissioners' meeting when the public hearing was held.
- Engineer's notes from the public hearing portion of the County Commissioners' meeting
- Copy of the sign-in sheet from the public hearing
- Letters of support for the formation of a regional sewer district from:
 - President of the Dubois County Commissioners
 - Director of the Dubois County Health Department
- List of all the public meetings held throughout the process to update the public on the plans for the Dubois County Regional Sewer District (DCRSD)
- By Laws for the DCRSD (draft)
- Sanitary Sewer Ordinances for DCRSD (draft)
- Proposed boundaries for the Dubois County Regional Sewer District

Documents that can be Downloaded from the Dubois County Website at the Link Below

https://www.duboiscountyin.org/news_detail_T13_R81.php

- Copy of the County-wide Study for the formation of the DCRSD
- Copy of the Preliminary Engineering Report for the first infrastructure project for the DCRSD

Additional General Notes

- The formation of the DCRSD has been motivated by the high number of unserved areas in the county that the existing sewer districts are unable to serve. The incentive to form the DCRSD at this time is primarily due to the environmental issues experienced in the Haysville



MEMO

Examples IDEM Petition Supporting Documents for Formation of Regional Sewer District (Draft)

March 24, 2023

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area of the County from failing septic systems and the inability for most of the properties in that area to construct functioning septic systems.

- Dubois County submitted an application for funding to RSF in April 2022 and were ranked in the top 5 projects. However, since the County hadn't submitted their petition to IDEM nor had they started on the design for the selected infrastructure project, the SRF funding was deferred. The County's 2022 application included the county-wide study. At the time of that application the project specific PER was not complete.
- Dubois County will be resubmitting an updated application for funding to SRF before April 1, 2023. This application includes a PER that is specific to the first infrastructure project that the DCRSD plans to start construction on in 2024.
- Dubois County has also been in conversation with USDA-Rural Development for additional funding. USDA-Rural Development has also had discussion with SRF regarding the possibility of providing a joint funding package for the project. The County will be submitting a formal funding application to USDA-Rural Development before May 1, 2023.
- The DCRSD does not plan to construct or own a wastewater treatment facility. The DCRSD will obtain an interlocal agreement with the existing sewer districts in the county that already have WWTPs to treat the flow from the DCRSD's collection system

Please contact Mary Austin to discuss this submittal and next steps that need to be taken.

Phone: 502.297.2738

Email: Mary.Austin@ClarkDietz.com

Sincerely,

Mary Austin, PE

DRAFT

STATE OF INDIANA)
)
COUNTY OF DUBOIS)

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:)
)
PETITION OF DUBOIS COUNTY, INDIANA)
FOR AN ORDER ESTABLISHING THE DUBOIS
COUNTY REGIONAL SEWER DISTRICT UNDER IC
§ 13-26)

PETITION TO ESTABLISH A REGIONAL SEWER DISTRICT

Petitioner, DUBOIS COUNTY, by its authorized representative, tenders its Petition to the Commissioner of the Indiana Department of Environmental Management (IDEM) for an order directing that a regional sewer district be established under IC 13-26 as an independent municipal corporation in DUBOIS COUNTY, Indiana. In support of this Petition, Petitioner alleges:

1. Authorization by Fiscal Body. The filing of this Petition has been authorized by the DUBOIS COUNTY COMMISSION as required by IC 13-26-2-2. A copy of the authorizing resolution is attached to this Petition as Exhibit “A”.

2. Authorized Representative of Petitioner. The authorized representative for Petitioner shall be Chad Blessinger, President, Dubois County Commission. The authorized representative may be contacted regarding this Petition or other district business via cablessinger@duboiscountyin.org or 812.661.2452.

3. Principle Office. The principle office of the district shall be located at 602 Main Street, Jasper, IN 47546,

MAILING ADDRESS.

4. Name of District. The name of the regional sewer district shall be the Dubois County Regional Sewer District.

5. District Territory Description. The territory to be included in the district shall be bounded by the county lines with the exclusion of the areas bounded by the legal limits of the Patoka Lake Regional Water and Sewer District, the City of Huntingburg Municipal Utility, Town of Birdseye Utility, Ferdinand Sewer Department, Ireland Conservatory, Town of Holland Utility, and Jasper City Municipal Utility. The territory to be included in the district is outlined on the map(s) attached to this Petition as Exhibit "B".

6. Governmental Entities and State Property in District. A list of the governmental entities (political subdivisions) having territory within the proposed district boundaries and the state agencies own, control, or lease land within the proposed district is attached to this Petition as Exhibit "C".

7. District Median Income. According to the most recent federal decennial census, the median income for households in the proposed district is \$62,846.

8. Current Services in District. Sanitary waste is disposed of in the proposed district exclusively by on-site septic systems creating environmental concerns regarding long-term water quality, contamination of aquifers and contamination of individual residents' water wells. The purpose to be accomplished by the establishment of the Dubois County Regional Sewer District is the improvement of the public health, safety, convenience, and welfare of the area by providing for the collection, disposal, and means of treatment of wastewater for the area within the proposed district.

9. Indebtedness. There is no outstanding indebtedness in the district territory for the proposed purpose of the district.

10. Need for District. Dubois County government, residents, and businesses have recognized the need for a district to provide sewer services in the proposed territory. Resolutions and letters of support for the establishment of the district from COUNTY COMMISSIONER,

COUNTY HEALTH DEPARTMENT, are included with this Petition as Exhibit "D".

11. Alternatives to Creating District. The primary alternative to creating the district would be that the existing sewer districts within Dubois County extend sewer service to the district; however, the existing sewer districts have declined pursuing this option.

12. Feasibility Study. Attached to this Petition as Exhibit "E" is a county-wide feasibility study that sets forth the basic plan for implementing the purpose of the district, including estimates of the following:

- a. the costs of accomplishing the purpose of the district;
- b. the costs of constructing, operating, and maintaining the works;
- c. the sources of the funding of these costs; and
- d. the rates and charges that will be required.

Attached to this Petition as Exhibit "E" is a project specific study that sets forth the basic plan for implementing the initial infrastructure project proposed for the district, including estimates of the following:

- e. the costs of accomplishing the purpose of the district;
- f. the costs of constructing, operating, and maintaining the works;
- g. the sources of the funding of these costs; and
- h. the rates and charges that will be required.

13. Board of Trustees Appointment Recommendation. Petitioner recommends that the district board of trustees shall be made up of 7 voting members, appointed as follows:

- a. One (1) member of the Dubois County Board of Commissioners appointed by the Board of Commissioners of Dubois County, Indiana.
- b. One (1) person appointed by the Board of Commissioners of Dubois County, Indiana

who resides within the limits of the Southeast Dubois County Public School District AND outside the limits of any other existing sanitary sewer district.

- c. One (1) person appointed by the Board of Commissioners of Dubois County, Indiana who resides within the limits of the Greater Jasper Public School District AND outside the limits of any other existing sanitary sewer district.
- d. One (1) member of the Dubois County Council appointed by the County Council of Dubois County, Indiana.
- e. One (1) person appointed by the Dubois County Council who resides within the limits of the Northeast Dubois County Public School District AND outside the limits of any other existing sanitary sewer district.
- f. One (1) person appointed by Dubois County Council who resides within the limits of the Southwest Dubois County Public School District AND outside the limits of any other existing sanitary sewer district.
- g. The Dubois County Health Department Director or a representative appointed by the Dubois County Health Department Director.

In addition to the Seven (7) voting members, Trustees, the Board may contain up to Five (5) non-voting advisory members. The advisory members are comprised as follows:

- (a) The Dubois County Engineer.
- (b) One (1) representative from each of the sanitary sewer districts within Dubois County that the District holds an interlocal agreement with for the treatment of the District's sanitary sewage. The representative shall be appointed to the DCRSD Board by their respective sewer board.

14. Board of Trustees Term Recommendation. Petitioner recommends that Board of

Trustees have a term of four (4) years each, provided, however, the initial terms are staggered. The appointing entities listed Section 13 shall retain their appointment power for the District Board of Trustees. The entities shall be responsible for the appointment to fill vacancies that may occur due to terms ending, resignations, removals, or other causes. Each entity shall retain the appointment authority for the original position(s) assigned to the entity as set forth in Section 13.

15. Notice and Public Meeting. Petitioner has public noticed and conducted a public meeting as required by IC 13-26-2-2.5 before the filing of this Petition.

- a. Public notice for the public meeting was provided by newspaper publications, and first class United States mail to each freeholder in the district according to the dates and intervals required by IC 13-26-2-2.5(b). Receipts for the purchase of these services and the list of freeholders notified by mail have been attached to this Petition as Exhibit “F”.
- b. The public meeting was conducted on November 21, 2022. The minutes of the public meeting have been attached to this Petition as Exhibit “G”.

16. Petition Filing and Availability. This Petition has been filed with all parties required by IC 13-26. This Petition has been filed within the time limits required under IC 13-26-2-2.5(d). Copies of this Petition and any subsequent amendments have been made available for 180 days from the date of filing with IDEM at Jasper-Dubois County Public Library. Interested parties may request an electronic copy of this Petition and any amendments by download from the Dubois County website.

WHEREFORE, Petitioner requests:

1. That IDEM public notice and conduct a public hearing on this Petition under IC 13-26-2; and That the Commissioner grant the relief requested in this Petition by issuing an order

establishing the Dubois County Regional Sewer District.

This Petition for an order to establish a regional sewer district is respectfully submitted to IDEM on **DATE**. As the authorized representative of Petitioner, I swear or affirm that the statements and representations in this Petition are true, accurate, and complete to the best of my knowledge.

ELIGIBLE ENTITY

By:

(Authorized Representative)

EXHIBIT "A"

DUBOIS COUNTY COUNCIL

RESOLUTION NO. 2022-16

RESOLUTION NO. 2022-16

**A RESOLUTION OF THE DUBOIS COUNTY BOARD OF COMMISSIONERS TO
PETITION FOR AN ORDER TO ESTABLISH THE DUBOIS COUNTY REGIONAL
SEWER DISTRICT**

WHEREAS, Dubois County is an eligible entity for the purpose of IC 13-26; and


WHEREAS, the Dubois County Board of Commissioners has determined that there is a need for a regional sewer district in Dubois County and wishes to authorize the creation and submission of a petition for the establishment of a regional sewer district;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DUBOIS COUNTY, that:

Section 1. The Board of County Commissioners Dubois County authorizes the creation and submission of a petition to the Commissioner of Indiana Department of Environmental Management requesting an order for the establishment of the Dubois County Regional Sewer District under IC 13-26.

Section 2. The Board of County Commissioners Dubois County names Nick Hostetter to be the representative of the County and authorizes him to sign the petition on the County's behalf.

DULY ADOPTED AND APPROVED this 21st day of November, 2022 by the Board of Commissioners of Dubois County, Indiana.


CHAD BLESSINGER


ELMER BRAMES


NICK HOSTETTER

ATTEST:


SANDRA L. MORTON, AUDITOR OF
DUBOIS COUNTY, INDIANA

EXHIBIT "B"

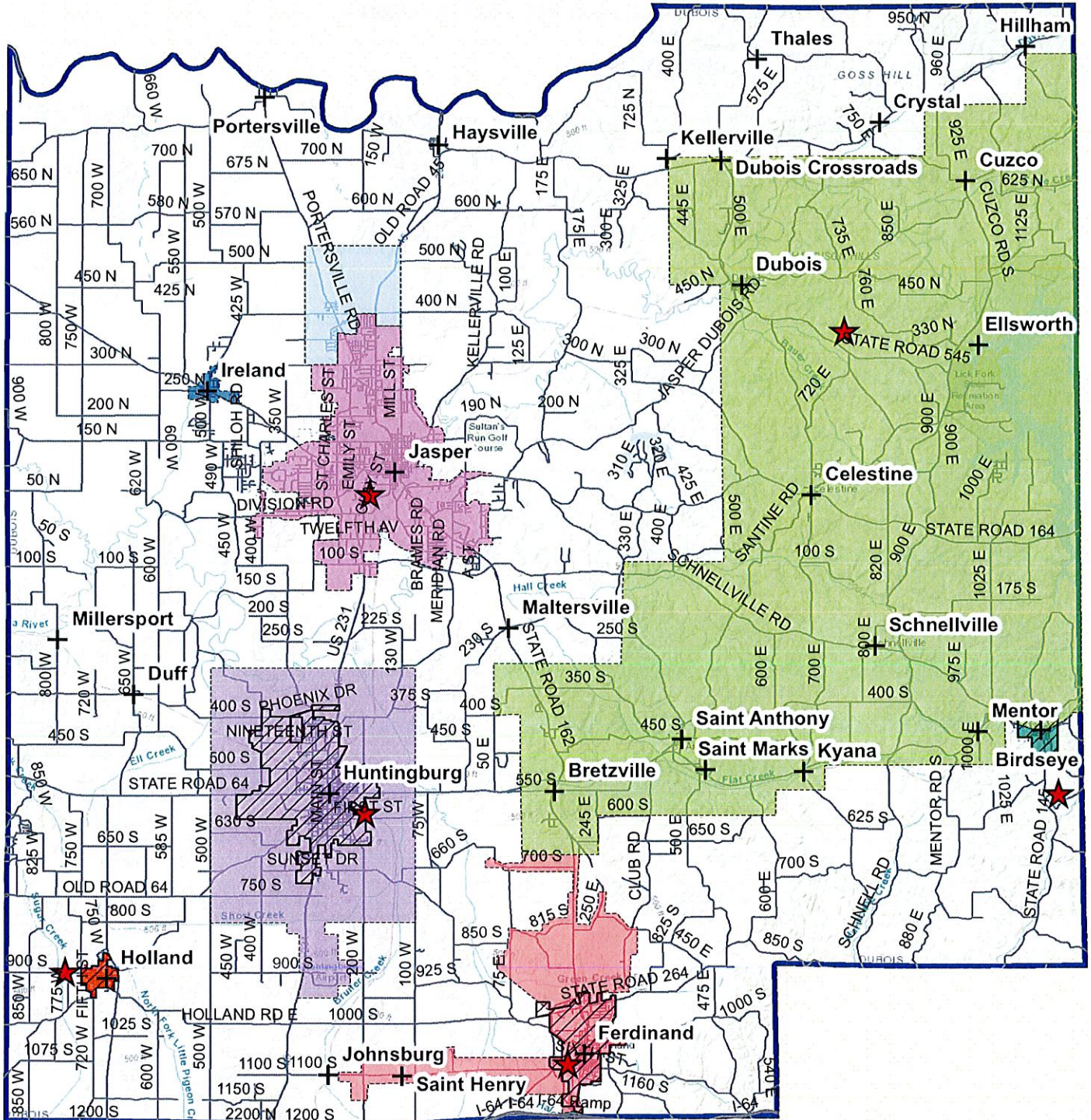
PROPOSED DISTRICT BOUNDARIES

Project: Proposed Dubois County Regional and Sewer District Boundaries Map

Prepared By: Clark Dietz

March 20, 2023

Dubois County Indiana Regional Sewer District



Legend

- ★ Existing WWTP
- + Places
- Roads
- ▭ DCRSD Limits
- ▨ Incorporated Areas
- ▭ Jasper's Proposed Sewer Limit

Existing Sewer Districts

- ▭ Birdseye
- ▭ Ferdinand
- ▭ Holland
- ▭ Huntingburg
- ▭ Ireland
- ▭ Patoka
- ▭ Jasper

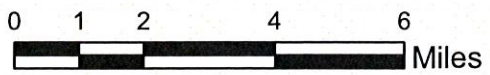


EXHIBIT "C"

GOVERNMENT ENTITIES AND STATE PROPERTY IN DISTRICT

A list of the governmental entities (political subdivisions) have territory within the proposed district boundaries and the state agencies own, control, or lease land within the proposed district.

Government Owners					
Name	Address	City	State	Zip	
Birdseye Fire Department	P. O. Box 93	Birdseye	IN	47513	
Celestine Fire Department	P. O. Box 42	Celestine	IN	47521	
Dubois Fire Department	4579 N. 2nd Station	Dubois	IN	47527	
Ferdinand Fire Department	P. O. Box 31	Ferdinand	IN	47532	
Haysville Fire Department	195 W. State Rd. 56	Jasper	IN	47546	
Holland Fire Department	P. O. Box 329	Holland	IN	47541	
Huntingburg Fire Department	P. O. Box 10	Huntingburg	IN	47542	
Ireland Fire Department	5053 W. Ireland Main St.	Jasper	IN	47546	
Jasper Fire Department	P. O. Box 29	Jasper	IN	47546	
St. Anthony Fire Department	P. O. Box 117	St. Anthony	IN	47575	
St. Henry Fire Department	1211 W. 1100 S.	Ferdinand	IN	47532	
Schnellville Fire Department	8090 E. Schnellville Rd.	Schnellville	IN	47580	
Dubois Water Utilities Inc	5470 E Waterworks St	Dubois	IN	47527	
Civil City of Jasper	PO BOX 29	Jasper	IN	47546	
Ken Buck - Bainbridge Trustee	1764 Evans Lane	Jasper	IN	47546	
Mark Kieffner - Boone Trustee	4949 N. Portersville Rd.	Jasper	IN	47546	
James K. Meyer - Cass Trustee	7825 W. 1075 S.	Holland	IN	47541	
Gene Hall - Columbia Trustee	8570 E. Cuzco Rd. W.	Dubois	IN	47527	
David M. Kemper - Ferdinand Trustee	6049 E. 850 S.	Ferdinand	IN	47532	
Allen R. Thewes - Hall Trustee	661 S. 820 E.	Celestine	IN	47521	
Marvin G. Eisenhut - Harbison Trustee	7696 N. US 231	Jasper	IN	47546	
Sylvester L. Voegerl - Jackson Trustee	5230 S. 450 E.	St. Anthony	IN	47575	
Brian L. King - Jefferson Trustee	P. O. Box 125	Birdseye	IN	47513	
Scott A. Blazey - Madison Trustee	1220 Sapphire Drive	Jasper	IN	47546	
Clarence Reckelhoff - Marion Trustee	5304 E. State Road 164	Jasper	IN	47546	
Donald J. Astrike - Patoka Trustee	419 Main Street	Huntingburg	IN	47542	
State of Indiana	100 N Senate Ave, N758-RE	INDIANAPOLIS	IN	46204-2219	
Haysville Community Volunteer Fire Department Inc	7254 N Haysville Park St	Jasper	IN	47546	
Dubois County Sheriff's Department	255 Brucke Strasse	Jasper	IN	47546	
Jasper Police Department	309 E. 6th St.	Jasper	IN	47546	
Huntingburg Police Department	P. O. Box 10	Huntingburg	IN	47542	
Ferdinand Police Department	P. O. Box 7	Ferdinand	IN	47532	

Government Owners					
Indiana State Police	2209 Newton St.	Jasper	IN	47546	
Holland Town Marshal	505 W. Main St.	Holland	IN	47541	
Birdseye Town Marshal	103 W. SR 64	Birdseye	IN	47513	
Indiana State Department of Health c/o Mike Mettler	2 N. Meridian	INDIANAPOLIS	IN	46204	
Dubois County Health Department	1187 S. St. Charles St.	Jasper	IN	47546	
Patoka Lake Regional & Water Sewer District	2647 IN 545	Dubois	IN	47527	
Ferdinand Sewer Department	543 W. 5th St.	Ferdinand	IN	47532	
Holland Water Plant	8826 S. 750 W.	Holland	IN	47541	
Jasper Wastewater Facilities	110, US-231	Jasper	IN	47546	
Huntingburg Wastewater Office	1106 E. 2nd St.	Huntingburg	IN	47542	
Ireland Utilities	P. O. Box 83	Ireland	IN	47545	

EXHIBIT "D"

**RESOLUTIONS AND LETTERS OF SUPPORT FOR THE ESTABLISHMENT OF
DUBOIS COUNTY REGIONAL SEWER DISTRICT**

1. DUBOIS COUNTY COMMISSIONERS
2. DUBOIS COUNTY HEALTH DEPARTMENT



Dubois County Commissioners

October 25, 2022

Indiana Department of Environmental Management
100 N Senate Ave
Indianapolis, IN 46204

RE: IDEM Petition for Regional Sewer District

IDEM Representatives,

On behalf of the Dubois County Commissioners, I would like to extend our support of the petition to IDEM for the establishment of the proposed Regional Sewer District. The goals to be accomplished by the formation of the Dubois County Regional Sewer District (DCRSD) include the reduction of environmental pollution by elimination of inadequate septic systems and the construction of a sanitary sewer collection system and appropriate treatment of collected sewage.

The need for the proposed District has long been recognized by residents, businesses, and elected officials such as the Dubois County Commissioners and other members of the public. The need is generally that sanitary sewage disposal is provided in the area by traditional on-site septic systems, many of which leak, have failed or will fail. The absence of public sanitary sewer service has contributed to public health hazards and poses a risk of environmental contamination in the proposed District.

Currently, most rural areas in Dubois County are unserved or underserved in sewer services. Outdated, failing, or simply inadequate septic systems cause health and wellness issues for our residents and impact our land and water resources. Furthermore, much of Dubois County's soils are inadequate for a traditional septic system to function properly and many residential parcels are too small for a properly sized mound system. The proposal to provide public sanitary sewer service to the unserved areas of our county will start the process of correcting these deficiencies.

In addition to the public health benefits, the development of public sanitation in the Haysville and Portersville area will help the economic health of the area. Not having this infrastructure in place makes development of housing and businesses less desirable and more costly. With improved facilities, the area will be better positioned for development, investment, and growth.

The Dubois County Commissioners fully support the Regional Sewer District formation. The DCRSD will help the hundreds of citizens on private septic systems with no public sewer infrastructure. We hope for your support in our endeavors to bettering the environment and the quality of life in our community. Thank you for your consideration.

A handwritten signature in blue ink that reads "Chad Blessinger".

Chad Blessinger, President, Dubois County Commissioners

Dubois County Health Department
1187 S. St. Charles Street
Jasper, IN 47546



Phone: 812-481-7050
Fax: 812-481-7069
dchealth@duboiscountyin.org

October 26, 2022

Indiana Department of Environmental Management
100 N Senate Ave
Indianapolis, IN 46204

RE: IDEM Petition for Regional Sewer District

IDEM Representatives,

Dubois County Health Department is in full support of the proposed Dubois County Regional Sewer District for several reasons. Due to the generally small size of parcels in our aging communities and towns, it is becoming increasingly difficult and many times impossible to provide adequate sewage disposal with on-site systems. In the neighborhoods the Sewer District is looking to service, approximately 90-95% of these facilities were constructed prior to the 1978 IDOH On-site Sewage Disposal Rule. Many of these older homes do not meet current design standards or do not have a permitted system. These direct discharges have detrimental impacts both for the environment and the quality of life in these affected areas.

In Dubois County, the current code, along with the IDOH Sewage Disposal Rule requires a permitted on-site sewage disposal system for both new and repaired systems. In many cases, the current standards can not be met, thus putting homeowners in a dire situation. Homeowners wanting to repair their systems are often left with huge repair bills or an un-sellable house if a system is not approved. These vacant homes led to blight and even more problems for these older communities. The addition of a Public Sanitary Sewer System could easily solve the problem and could also lead to economic growth in areas of need.

Municipal sewer will provide protection of the groundwater and improve water quality across Dubois County. Protecting groundwater and increasing water quality can help protect the health of the citizens living and working in our communities. I currently sit on the Lower East Fork White River Watershed Steering Committee and previously sat on the Patoka River Watershed Steering Committee as well. Both 319 Watershed Implementation Grants opportunities in Dubois County showed a need to improve water quality due to high E coli counts in many of our streams and tributaries of both watersheds.

The Dubois County Health Department absolutely supports the Dubois County Regional Sewer District formation and looks forward to working on this project with your approval. If you have any questions, please feel free to contact me at the information below.

Sincerely,

sdwerner@duboiscountyin.org

Shawn Werner
Administrative Director
Dubois County Health Department
1187 South Saint Charles Street
Jasper IN 47546
812-481-7050
sdwerner@duboiscountyin.org

The Dubois County Health Department is committed to preservation efforts that promote and protect our Communities health by serving with dedication, respect, and responsibility

EXHIBIT “E”

FEASIBILITY STUDY

1. DUBOIS COUNTY REGIONAL SEWER DISTRICT STUDY
2. HAYSVILLE & PORTERSVILLE AREA SANITARY SEWER COLLECTION SYSTEM PRELIMINARY ENGINEERING REPORT

May be downloaded using the link below

https://www.duboiscountyin.org/news_detail_T13_R81.php

EXHIBIT "F"

PUBLIC MEETING NOTICE

1. Copy of advertisement
2. Affidavit for publication in The Herald
3. Affidavit for publication in the Ferdinand News
4. Copy of the letters sent out by US mail.