

**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF TRUSTEES OF  
TURKEY CREEK REGIONAL SEWER DISTRICT**

The Board of Trustees of the Turkey Creek Regional Sewer District met in the Office of the said District, 4852 North 1200 West, Cromwell, Indiana, on the 15<sup>TH</sup> of June 2020. Such meeting pursuant to annual notice in accordance with the rules of the Board of Trustees and I.C. 5-14-1.5.

President Boone read the following: Public comments or questions will be addressed during the "General Public Business" section of tonight's agenda. Therefore if anyone has a comment to present which has not already been presented, or a question to ask which has not previously been asked please do so when acknowledged by the Board. State your name and you will be allowed 2 minutes for your comment or discussion of you question.

President Boone called for the roll of members of the Board shown to be present or absent is as follows:

PRESENT

Keith Ort

James Boone

Robert Dumford

Donald DeWitt

Dan Mikolajczak

ABSENT

James Young

Also present were Jeff Hersha of Jones and Henry, Michael and Karen Williams of Microbyte, Timothy Woodward-District Superintendent, Andrew Boxberger of Carson LLP, Chelsea Los of The Paper, Jane Bauer, Billing Clerk, and Pam Johns-Office Manager. There were also twenty individuals from the public in attendance.

President Boone verified that each Board Member had a copy of the minutes from the May 18, 2020 meeting. Vice President Dumford clarified that roof repair mentioned in the May Minutes was at the Water Plant.

Trustee Mikolajczak made the motion to accept the minutes as amended. The motion was seconded by Trustee Dewitt and carried.

After reviewing the claims Vice President Dumford made the motion to pay claim #'s 1937-39 from the Water Fund plus claim #'s 1885, 1897-1923 and 1932-36 from the Operation & Maintenance Fund. Also approved were check #'s 2165, 2170-75 and 1895 from the Water Fund and check #'s 17325-17398 from the O & M Fund. The motion was seconded by Trustee Dewitt and carried.

Tim reported that the 2019 CCR has been sent to all water customers. This is required by the EPA and IDEM, it is to be sent to all water customers by July 30<sup>th</sup> each year.

Tim has arranged to have water lines blown out for two customers having pressure problems.

He reported that there was a record flow over the Memorial Day weekend and there had been no operational problems. There were no lift station call outs. The one customer call out ended up being a float problem which we helped him with.

Tim is having the final two RAS Pumps installed this week and feels the plant is ready for the July 4<sup>th</sup> holiday. He stated that he will be giving a report this fall regarding the operational changes he has made at the plant.

There have been some grinder problems causing false call outs. He believes that it is an electrical problem and has scheduled maintenance on it the week of June 22.

Tim has received and is reviewing the EPA Lab certification requirements. This is done every two years and must be done to certify your lab work and reporting.

Attorney Boxberger reported that he had spoken with Tim and sent out a redline version of the District Rate and also the Use Ordinance for the Boards review. The main changes are in the Use Ordinance clarifying that there is a onetime Connection Permit fee of \$100.00. The Permit is good for 2 years. One item that is not in the current ordinance is a \$50.00 disconnect charge and also the ability to pass along costs for customer caused issues. This includes attorney fees which need to be updated.

TURKEY CREEK REGIONAL SEWER DISTRICT

June 15, 2020

Regular Monthly Meeting

Page Two

The one item Attorney Boxberger wanted to address at tonight's meeting was the \$5800.00 connection charge. At the time of the SWAP project the Board allowed the payment to be done over 60 months but it was only for SWAP Customers.

The Board wants to have the option available for all first time hookups. The charge would include an interest rate at the current debt interest rate or 2 ½ % whichever is higher.

The motion was made by Vice President Dumford to approve the new Connection Charges. The motion was seconded by Trustee Mikolajczak and carried.

There being no further business to bring before the Board, Trustee Mikolajczak made the motion to adjourn. Vice President Dumford seconded the motion and the motion carried. The meeting adjourned at 7:20 p.m.

July 20, 2020

  
James Boone, President

Respectfully, submitted by:

  
Pam Johns, Office Manager

# MINUTES OF THE PUBLIC HEARING

## HELD BY THE BOARD OF TRUSTEES OF TURKEY CREEK REGIONAL SEWER DISTRICT

The Board of Trustees of the Turkey Creek Regional Sewer held a Public Hearing at 7:30 pm on the 15th of June 2020. Such meeting pursuant to annual notice in accordance with the rules of the Board of Trustees and I.C. 5-14-1.5.

President Boone called for the roll of members of the Board shown to be present or absent is as follows:

### PRESENT

Keith Ort  
James Boone  
Robert Dumford  
Donald DeWitt  
Dan Mikolajczak

### ABSENT

James Young

Participating in the meeting were Timothy Woodward-District Superintendent, Jeff Hersha of Jones and Henry and Andy Boxberger of Carson LLP. There were also 20 individuals from the public in attendance.

President Boone asked that questions be held until after Attorney Boxberger and Jeff Hersha had finished their presentations.

Attorney Boxberger started the meeting by stating that the hearing is a requirement as a result of the District applying to the State Revolving Fund for help in funding if the District decides to expand in the Northshore/Eastshore area. Attorney Boxberger started by stating that he realizes that there will be many questions-including is the District going ahead with expansion and what will it cost (installation and monthly rate)? Attorney Boxberger stated that the District is in the preliminary stages to determine the feasibility of expansion. He did state that the District wants to keep the rate the same for all customers. He stated that there are also three questions that always arise when a project is being discussed and had done a handout that explained the following-

- 1) Why does the District have the right to do a project?
- 2) How does the District determine a project is necessary?
- 3) Do I have to connect?

Attorney Boxberger introduced Jeff Hersha of Jones and Henry Engineering. Jones and Henry have been the District engineers for approximately 10 years and are the engineers that prepared the Preliminary Engineering Report for the Northshore/Eastshore area that has been submitted to the SRF.

Jeff briefly summarized the background of the possible project. Shortly before the SWAP project was completed in 2018 the District was approached and asked regarding the possible sewerage of the Northshore area of Syracuse Lake. As a result of these inquiries a questionnaire was sent out to approximately 200 home owners in the area. The response was very good and indicated that the majority were not in favor of installing a sewer system and the District temporarily tabled the possible project while more information was gathered.

He pointed out that there have been many inquiries from home owners wanting proof that their septic system is failing. Jeff reminded everyone that the checking of septic systems is the responsibility of the County Health Department and that District employees are not allowed to come on private property to check existing systems. Jeff did however meet with Bob Weaver of the Kosciusko Health Department and review all septic permit records. This information is part of the public records of the County and available to anyone interested. Bob Weaver stated that as a result of a fire in 1984 some records were lost but all records and permits since the fire are correct and on file. As a result of this review it was found that 70 of the septic systems in the potential project area are over 35 years old (before 1984), 7 systems are 30-35 years old, 33 are 20-30, 29 are 10-29 and 33 are less than 10 years old. Jeff pointed out how important this information is in the decision making process and also explained the process for getting an exemption. If the property owner's septic system is less than 10 years old they could in theory get a 20 year exemption. The total period of mandatory connection could be 20 years from the installation date of the owner's current system. This process is handled by the County and the District has no say in the decision of granting a waiver. Some regulations (distance from well and shoreline) have changed over the years and the County Health Department if requested by the property owner will come out and inspect the current system to see that it is working properly and meets current code. Attorney Boxberger stated that as required by law all property owners in the proposed expansion area would receive a letter explaining the waiver/exemption process

TURKEY CREEK REGIONAL SEWER DISTRICT

June 15, 2020

Public Hearing

Page Two

and the timeline for application if appropriate.

Jeff reviewed the engineering study done for the Northshore/Eastshore area. The engineers looked at a grinder pump, vacuum and gravity systems and recommended a gravity system. They examined the topography, loading and existing system when doing their review. This information is in the PER and available on the District website. The review also looked at the cost to the District and home owner and the 20 year present worth. After review the gravity system was recommended.

A question was asked by Nancy Shields that if this is "a done deal" why it wasn't stated over a year ago when at a Board Meeting the Board President was asked just that. Attorney Boxberger and Jeff reminded everyone that a year ago the question could not have been answered as the study reviewing the technology and fiscal feasibility and need had not been done. Also people were reminded that it is not majority rule. If service is requested in an area, the District must review options and see if service could be made available. The question was asked if there would be exclusions for people that live across from the lake. Attorney Boxberger stated that there are only two exclusions-a 10 acre property or a waiver issued by the Health Dept. Judy Delury asked a question regarding cost. The estimate is \$10,000.00 which does include the \$5800.00 connection fee charged by the District. The cost could vary due to location of hookup and how much line needs to be installed on the property. Jeff stated that if the homeowner now had a pump to get their flow from the home to the septic system there is a possibility that this same pump could be used to pump to the new gravity line but the system itself does not need a pump. Kathleen Johnston asked a question about possible failing systems and what happens if they are found to be failing. Attorney Boxberger reminded everyone that this could be a huge issue because due to changing regulations permits may not be issued due to the location of the well and how far from the shoreline the system would have to be. The age of the current systems found makes it likely that some are already failing and perhaps could not get a permit due to regulation changes. The question was asked "How many people have requested service"? The response to the original postcard survey indicated that approximately 30 people were interested in service. At this time President Boone responded that approximately 40 people have indicated they have a need for sewer. It was stated by a property owner that there is a new system going in on a property that is only 10' from the lake. Both Attorney Boxberger and the Board expressed surprise but since this is a Health Department issue it was suggested that the question could be asked of them for explanation.

The question again was asked why if the majority does not want service why didn't the District, Health Department and State of Indiana test systems and allow repairs to existing systems. The individual felt it would save all involved money and solve the issues. Attorney Boxberger stated that the State (IDEM & SRF) does not want septic systems and the District was established in part to get rid of them and provide sewer service. The question was again asked that why should Syracuse Lake be sewered if the water is cleaner now than it was years ago. Again people were reminded that the fact that Lake Wawasee has been over 95% sewered and flows into Syracuse Lake which has in fact resulted in cleaner water, but the fact is as systems fail the quality would go down and also the property owners have a responsibility to make sure their lake is discharging water which is as clean as possible.

Don Yoder asked about cost and the \$5800.00 which could be paid over 60 months. Attorney Boxberger stated that the \$5800.00 was already established but the 60 month payment plan which had been approved for the SWAP project was approved by the Board tonight for all new hookups.

When asked regarding timing for the possible project Jeff responded that he estimates the timing for engineering design and financing (SRF, grants or bonds) would be approximately two years.

The District is also looking into grants/loans from Rural Development and Office of Community Affairs.

The question came up as far as rates. Mr. Johnston asked for clarification as to current rates. The District bills on a flat rate of \$65.90 per edu. One individual stated that that seemed very high. Both Attorney Boxberger and Jeff pointed out that it actually was one of the lower rates in the area. Tim suggested that people check the District website which does list the rates of all 120 Regional Sewer Districts in the state and TCRSD is in the middle. It was pointed out that there are programs available for individual grants and low interest loans to home owners for financial assistance when connecting to sewer. It was also pointed out that the monthly rate cannot be increased without holding public meetings. One property

owner asked when charges would start. Attorney Boxberger was asked if the District received grant money, would this increase the \$5800.00 connection charge? It would not affect the connection charge but would be used

TURKEY CREEK REGIONAL SEWER DISTRICT

July 15, 2020

Public Hearing

Page Three

to decrease the project cost and help keep rates down. A grant writer hired by the District has sent out a survey to see if the area would qualify for any monies based on income. The Board will report on the outcome as soon as results are received.

David Johnston asked when the charges would start if you have an exemption, would you be charged anything? Attorney Boxberger stated there are no charges if the property owner has an exemption and other property owners are billed in stages. The first charge would start when construction starts and would be an amount that covers interest on the project during construction. The next stage would be full charges and would start when connections were available. The District would send out letters telling property owners that they have 90 days to connect. The ninety days may be extended due to time of year (example-project completed in January).

After someone made reference to new customers paying off debt from the last expansion (SWAP) Attorney Boxberger explained the new project if done is combined with other cost including treatment, administrative cost and debt service but not the cost of previous expansions. A question came up concerning taps and right of ways. Attorney Boxberger, Jeff and Tim all responded that the District will be running lines and taps to the edge of the road/right of way and would try to install the tap where requested. The home owner would receive a stake/flag to put in the ground where they would like the tap put and the District will try to accommodate. The tap locations may be affected by the topography but will be discussed with the home owner before installing. Questions were asked regarding funding. Jeff and Attorney Boxberger stated that all funding-grants, low interest loans from state and federal agencies plus the private bond market were being investigated. It was pointed out that it is also very difficult to figure out what post COVID construction cost would be.

David Johnston asked how many people getting exemptions would jeopardize the project. Attorney Boxberger stated that until all cost estimates and funding information was reviewed it was impossible to give an exact number of hookups that it would take to make the project feasible. The Board was asked regarding filling or crushing existing septic systems. Jeff stated that it does in fact have to be done and is not part of the \$10,000.00 estimate. Frank Doolittle asked if contractors could be coordinated to make hooking up more efficient and hopefully less expensive. The District can supply a list of local contractors but cannot tell property owners who to use. Property owners can use any one they want or even lay their own line however, all hookups will have to be inspected by the District before covering them. The District if involved in what contractor to use would have to put it out for bid and also there are property owners who would be able to do their own lines. Tim stated that the District does have specs as far as what pipe and materials have to be used but if the property owners wants to use something other than normal specs they can discuss it with Tim.

The question was asked about the income survey-Jeff responded that 45 had been sent and 25 returned. Jeff will follow up with the grant writer to see why all property owners weren't sent surveys. Jeff was asked about the pump stations that would be needed for the project. He stated that the exact location had not yet been determined.

Jeff clarified that the Northshore lift stations would be much smaller than the one at the south end Eastshore.

Attorney Boxberger stated that if a home is within 300' of the sewer line it must be hooked up. He also stated that there are penalties for not connecting and there is legal action called a "forced connection" which could be pursued.


Tim responded to a question about possible backups. He stated the lift stations have 2 pumps and will only need one to operate. There is also a telemetry system that calls out if there is a pump fail. A property owner stated that he checked with his insurance agent and a backup is not covered. There is a rider available but it is expensive. Jeff mentioned that a check valve or shut off valve would be recommended. Jeff when asked said that the historical impact was reviewed in the PER. When asked, Attorney Boxberger stated that any damage to sidewalks or property at the time of construction would be repaired.

There being no further business to bring before the Board, Trustee Mikolajczak made the motion to adjourn. Trustee Ort seconded the motion and the motion carried. The meeting adjourned at 8:25 pm.

July 20, 2020

  
James Boone, President

Respectfully, submitted by:

  
Pam Johns, Office Manager