



## **Minutes: Sewer Projects Special Q&A Meeting**

**Meeting Date: February 18, 2019 6:30PM**

*In Attendance: Lana Beregszazi, Consulting Board; Brooks Langeloh; Board Member, Don Amber; Board Member, Walt Crowder, Board Member; Chad Nix, Board Member; Scott Wagner, Board of Health; Ted Nitza, Engineer; Jeff Gard, Aqua Indiana; Dawn Dragnev, Administrative Support*

*Nix calls meeting to order at 6:30PM*

Forty-seven residents signed the attendance sheet.

Written questions were read by Beregszazi.

*The first question was related to cost.* Beregszazi stated the costs are variable related to area, grant assistance and the distance from homes to the connection point.

*The second question was if Mike Davis could tie into the sewer at the round-a-bout at East 900 South and Liberty Mills Road.* Gard answered that if it's a septic tank elimination there is no agreement between Aqua Indiana and WRSD at this time. But the tentative agreement would be handled through the WRSD and new connections would be handled through Aqua if there are lines in that area.

*Why haven't residents on south 700 East, south of East 900 South been notified because the Eshelman's have septic problems?* Beregszazi stated because the line is not going south of 900 South. Beregszazi stated the Whitley RSD is not looking for revenue but for septic elimination.

*Why should those who have built homes within thirty years have to upgrade if a septic line is pushed through?*

Beregszazi stated within 30 years is when a septic tank is permissible which is entirely up to the department of health along with other exemptions. Wagner explained Ordinance 2017-3 that the board of health passed, and the Whitley County Commissioners ordained that when sewer becomes available residents have to connect. Title 13 Indiana State Law lists septic system exemptions. First: 300' rule, if the house is more than 300' off the connection line unless the house is in a subdivision or a divided lot. Second: Septic system exemption, the sewer board can be giving an exemption of ten years from the date of the newly installed system. Third: The ten acre rule, the property area is larger than ten acres and passes a soil test in two areas on the property.

There were several questions about drainage in the Stable Acres area. Beregszazi stated that the Whitley RSD has nothing to do with the drainage board and drainage related questions should be taken up with them.

A question was asked about connection fees. Beregszazi stated that connection fees will no longer be waived if residents connection to the system after the project has been started.

A question was asked if Whitley County doesn't have a septic elimination agreement then why the meeting is being

held. Beregszazi answer that the WRSD has the authority through the county to manage and implement septic elimination projects.

A question was asked where their waste would go if they will no longer have a septic system. Wagner answered that IDEM regulates all sanitary sewer. Aqua operates in Allen County and cannot just hop across the county line to tap residents in. Aqua needs to first have an engineered drawing that is submitted to IDEM who needs to approve the drawing first and they would also need approval from the Whitley County Commissioners. This is why it is all being run through WRSD.

A Stable Acres resident asked if there are grants being sought after from OCRA for Laud why do Stable Acres residents need to foot the bill for Laud. Wagner answered if there are grants from OCRA it will lower costs for all WRSD property owners. The resident asked why he can't get his own grant writer. Wagner answered that OCRA can only be approached a certain number of times. The resident then asked what the rush was and if the board was trying to outlaw every septic tank in the entire county. Wagner answered the county is behind on federal regulations.

A resident asked if Wagner violated the open-door law by doing on-site inspection in Stable Acres in 2007 without giving a public notice, she went on to say no one from the health department told any of the homeowners in Stable Acres that there was a problem with E.coli and asked why it is suddenly important in 2019 and not in 2007. Wagner stated it was important in 2007 but he didn't have a solution and no funding to mandate sewer to come to the area.

A resident asked how Wagner's environmental rating for Stable Acres came about. Wagner stated the 16% failure rate in Stable Acres based on the number of septic's that have been repaired since installation. Wagner stated he took a water test last Tuesday in Stable Acres to show there is still E.coli in flooded waters in three different locations. The resident asked if he told anyone he was coming out their properties. Wagner stated he didn't have to because he took the sample right off of the roadway.

A resident from the back shouted that they should be able to take a sample where Wagner took one as well. Wagner stated the resident should go ahead and take one. Wagner's samples came from: South Appaloosa, Derby Drive, right across 3700 East State Road 14, and the culver on the north side of the Mowry Drain.

A resident asked if they could first solve the drainage issue first and then retest the area for E.coli. Wagner replied addressing the drainage issue would cost more than the sanitary sewer issue.

Another resident asked if the drainage issue would still be there if residents hooked up to the sanitary sewer. Wagner stated it would be. The resident replied that there's nothing to gain. Nitza explained that over the course of one calendar year there would be five million gallons of raw sewage taken just from the Stable Acres area and sent to Aqua Indiana where it is designed to be treated and then released back into the environment.

A resident asked why the government is coming in and mandated residents connect. Wagner explained that it is a federal mandate that sewage no longer run into the streams and rivers. He went on to say that if the E.coli issue is not addressed in Whitley County, by federal law, the county would need to pay millions of dollars to study every stream, river and ditch in the entire county to determine if they met the federal standard water quality standards and if not there needs to be a plan put in place to fix it.

A resident asked what happens when they can't afford to connect. Beregszazi stated residents have a year and half to plan for the costs and the board is looking for financing for upfront costs. The resident went on to say Beregszazi stated residents need to start paying in the fall.

Another resident asked what is the \$10,000 - \$15,000 cost that residents are expected to pay. Nitza explained that this is not an upfront cost it is the total cost that residents will eventually end up paying through the monthly rate of an estimated \$120 per month. Beregszazi stated there is a hookup fee from Aqua Indiana and a cost to decommission the septic and running a lateral line to connect.

A resident asked if the start of the sanitary sewer begins by a contract. Wagner and Beregszazi stated no it does not. Beregszazi stated they will build a sewer and they will send a notice to connect.

A resident asked if there would be financing options for residents in Stable Acres. Beregszazi stated there are Trustee programs for residents who cannot afford utility bills within the townships that may be looked at separately.

A resident stated he noticed that difference between current Aqua Indiana residents and ones that would be picked up the Whitley RSD is that current residents pay around \$60 per month and Whitley RSD residents will be paying around \$120. Beregszazi stated the drafted agreement between Aqua Indiana and WRSD is that Aqua maintains their CTA but the WRSD picks up septic elimination within that area. She went on to explain with areas of new development the developer pays for the upfront infrastructure and recuperates the cost within the sale of the lot or house, therefore only causing them to pay for the treatment fee and maintenance. Wagner jumped in to explain that Aqua can't come in to do septic elimination because as a for profit organization they cannot apply for grant money. Nitza explained WRSD's economies of scale are put into place by the entire customer number.

A resident asked if they wanted to hook up to the Aqua Indiana line could they just call Aqua and connect? Beregszazi said they could but they would have to pay for it on their own.

A resident asked about the Aqua Indiana owned lines along County Line Road 800 and State Road 14. She stated there were conflicting stories about who were being mandated to hook up to the line. It was explained by Beregszazi, Wagner and Gard that the department of health mandates connections and Aqua gave the rights of the lines to the WRSD.

Pete Eshelman stated he was recommended by Wagner to upgrade to a 4,000-gallon tank to be hooked up to Aqua Indiana. He went on to that the WRSD came in to help make the sewer line happen and the WRSD is telling residents they need to connect to the Joseph Decuis line and the Eshelman's are not forcing anyone to do anything.

A resident said he was told by two authorities that the southeast Jefferson Township project would not happening if it weren't for the Eshelman issue. Another resident shouted that Southeast project was breaking in the Stable Acres discussion and it needed to be brought back to the topic of Stable Acres. Beregszazi stated she didn't know what Wagner's recommendation with the Eshelman's was other than they needed to build a sewer line. She stated the financials of the southeast Jefferson Township area are feasible just with the Joseph Decuis farm project itself but the goal of the WRSD is for septic elimination.

A resident stated she does not live in Stable Acres, she lives down the road on 14. She stated they purchased their home after being told that the project in the area would likely not be moving forward. They moved out of city limits to get away from the higher sewer bill and now have a higher house payment and she's being forced to be hooked up to a sanitary sewer line anyway. She asked what is going to be done to her property and her property values and that she has not been given numbers to budget for. She asked what will happen to the trees and will she be compensated for them when they are destroyed. Beregszazi asked if the resident was west or east of Stable Acres. The resident replied east, to which Beregszazi stated the resident would be within Aqua Indiana's connection area.

Nltza explained to the resident that directional drilling would be used to create the sewer line and the resident is able to dictate where the line goes within some limitations.

Doug Dyson asked when the order to connect letter would go out. Beregszazi stated it would be when construction is complete. Dyson asked if he can get a copy of the letter. Beregszazi stated she could not send it out because it has not been drafted yet and wouldn't be ready until Spring 2020.

Johan Bernard asked about the three criteria for the sewer system to go in according to the board. Beregszazi stated none of the decisions being made to select projects are based on any kind of Indiana code they are based on the intent of the WRSD to look at cost feasible, and resident surveys, and environmental rating. She went on the say that the board looks at those three things but there is no rule that says a project needs to meet all three of the criteria.

A resident asked when the surveys for the southeast project area would be sent out. Beregszazi stated it is a different situation because the sewer will be built anyway.

There were more questions about the proposed sewer lines in southeast Jefferson Township. Which Beregszazi answered they were changed to pick up a shorter route and more residents along the way to pick up more septic elimination.

Timothy Patrick asked the board if they have read their legal charter and stated it is the most important thing that they operate from. He went on to say there should be a financial secretary placed on the board so there is financial integrity and accountability. He stated he has asked for information from the Matt Shipman, Chad Nix and from Lana Beregszazi and that transparency is important and there should be business and treasurer reports up front at every meeting. Nix stated there is no money and therefore no money to keep track of. Patrick went on to ask if the county commissioners granted money to the WRSD in terms of repayment. Amber stated yes but the investment was to BCS Management to put together the program and the money is to be repaid. Patrick asked how Beregszazi is the chair if she was hired by the commissioners. He stated there would need to be public notice for consulting firms to consult for the board. Beregszazi and Wagner stated that is not true. Nix stated she is not a voting member of the board. Patrick asked how the funds would be distributed and referenced the lack of treasury report.

There was another question about drainage issues in Stable Acres and if the WRSD has been in communications with the drainage board. Nix and Amber suggested that concerns residents should attend the drainage board meetings, Amber stated he believed it was the third Monday of each month at nine o'clock.

Johan Bernard asked if the board could throw out Stable Acres since it's too much work.

Nix adjourned the meeting at 8:32PM.