

## **Questions and Comments from the July 8, 2023 Public Hearing**

### **B. Fox**

*July 8, 2023*

*Question: Are all of the speaker slide presentations going to be made available to the public somewhere? I attended the meeting, but would like to have all slide presentations for reference.*

#### ***Received day of hearing***

*Response: Yes. All presentation slides have been posted on the BCRSD webpage at browncountysrd.org.*

### **P. Nelson**

**[REMOVED]**

*July 8, 2023*

*Question: Will you be doing both Eastern and Western corridors at the same time or Lake Lemon first (my preference)?*

*Response: This is yet to be determined. The desire of the board is to complete as much of the Eastern and Western corridor project as possible at the same time. However, it depends on funding. Early indications from the funding agencies are that we will have to complete the project in phases.*

*Question: Do you have completed projects elsewhere we can see?*

*Response: There are numerous low pressure sewer systems around the state. The engineering firm that prepared the PER has designed recent LPS project for the Morgan County Regional Sewer District in Waverly and the Muncie Sanitary Sewer District in Cowan.*

### ***Both questions written comments at hearing***

### **T. Diehl**

**[REMOVED]**

*July 8, 2023*

*Question: Do you only need one 30 Amp circuit at 220 volts or 115 volts for grinder pump or an additional circuit for the alarm?*

#### ***Written comment at hearing***

*Response: The property owner will be responsible for providing a dedicated electrical circuit (120 volt, 30 amp minimum) and outlet to the exterior of the home. This is for the control panel. The alarm is built onto the panel. Additional information will be provided to each property owner during the design phase.*

### **J. Adams**

**[REMOVED]**

*June 24, 2023*

*Question: In your spring 2021 e-DNA study (referenced on pg. 9 of preface in PER), why do you not mention there were 31 sites tested?*

#### ***Received prior to hearing***

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. BCRSD can explain the testing sites, strategy, and results in a detailed response if you desire. To summarize: sites were tested for E.coli, then re-tested for coliphage and the lab accepted five for testing. The results of those five were published as mostly human.

**Question:** Only two sites in the entire Bean Blossom watershed had results showing some level of human-attributed e-coli. Why do think you can two one-time tests to claim the entire watershed above the sites are impaired with e-coli from humans? (you highlighted the entire watershed above both sites in your maps) Do you plan to test further?

**Received prior to hearing, restated as written comment during hearing**

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. Re-testing has been discussed along with adding additional sites.

**Question:** What were the results of the other e-DNA sites? Five samples from 31 sites is only 16%, right?

**Received prior to hearing**

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. BCRSD can explain the testing sites, strategy, and results in a detailed response if you desire. To summarize: sites were tested for E.coli, then re-tested for coliphage and the lab accepted five for testing. The results of those five were published as mostly human.

**Question:** Did anyone suggest you re-test for e-DNA? Why? Why not?

**Received prior to hearing**

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. BCRSD has been discussing re-testing to corroborate previous results along with the addition of more sites.

**Question:** Can the public see the raw data or final report from the lab? If not, why not?

**Received prior to hearing**

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. Unknown.

**Question:** At about the 15-minute mark of your second YouTube video on the watershed study program (which info from is used in the PER), it is stated that “none of the historical studies/work has scientific evidence to prove e-coli in Brown County is coming from humans.” Why do you use historical data/studies as evidence that e-coli in Brown County is coming from humans if you say it doesn’t have scientific evidence?

**Received prior to hearing**

**Response:** This question is in regards to the Water Quality Study and not the PER and is considered out of scope. Of the video in question again this refers to historical E.coli testing without coliphage serotyping; the added test BCRSD performed identified the contribution from animal or human.

**July 14, 2023**

**Question:** Your PER lists prescription drugs are consistently present in water bodies (pg. 2 of PER Preface). Are any of these common in agriculture? We have several confined feed lots in the Bean

Blossom Watershed, almost all are above State Road 135 and none exclude cattle from Bean Blossom Creek – it is a regular occurrence to see cattle standing in the stream or along the bare banks. Do you think that confined feed lots in the stream and tributaries have caused elevated reports of e-coli? What about years of openly spraying and trenching in thousands of gallons annually on ag fields along the creek, would that elevate e-coli?

**Received after hearing**

*Response: This question is in regards to the Water Quality Study and not the PER and is considered out of scope. Again coliphage serotyping showed more was from human waste than animal at our test sites. It does not say animal does not contribute but human is contributing more.*

*Question:* In the decades of testing for e-coli in Bean Blossom Creek – Have any of the hundreds (if not thousands) of tests shown e-coli is coming from humans?

**Received after hearing**

*Response: This question is in regards to the Water Quality Study and not the PER and is considered out of scope. Only coliphage serotyping can identify E.coli source and that was only performed recently showing human and the primary contributor to watershed E.coli.*

*Question:* I'd like to see the raw data from the spring 2021 EDNA study and the final report – where is that information? It isn't listed anywhere publicly, why?

**Received after hearing**

*Response: The Watershed Study evaluated sampling and analytical data collected throughout Brown County over many years by various entities. The District's consultants also sampled and analyzed numerous locations for E. coli analysis and human vs animal source analysis. Those data were compiled and presented in summary form by the consultants in the final Watershed Study report.*

*Question:* During the required public hearing on 7/08/2023 – You mentioned the homeowner would pay for electricity to be run to a grinder pump, do we need to use a licensed electrician? Would we be responsible for running the plumbing to the grinder pump too? My property is below the road or where a grinder pump would be, what happens then?

**Received after hearing**

*Response: Yes, the homeowner will be responsible for running the electricity and plumbing to the grinder pump. These professionals have to provide all licensing required by local governmental agencies. The grinder pumps typically sits closer to the house so that a gravity line can be installed to the grinder pump. During the design phase, a District representative will make an attempt to meet with each property owner to determine the best location for each grinder pump.*

*July 8, 2023*

*Question:* Helmsburg wants to and needs to repair their system. Does the want (not need) of a handful of developers (think Mike Leggings – a home builder in Brown County and BCRSD president) hurt or slow down the progress of providing sewers in Helmsburg? In the PER there weren't any letters to support sewers in Bean Blossom and we have been vocal against the sewer project (development) in Bean Blossom.

**Written comment from hearing**

*Response: The project is being driven by an overwhelming need for sewer service, not by developers or builders. See pages 1- 3 and 6-8 of the PER. We are not in possession or receipt of any plan or plans that propose or suggest any development is being planned or considered. The sewer district does have letters of support from the Bean Blossom area which will be added to the PER.*

SRF has limited resources to allocate to projects state-wide. Projects that have strong community support and buy-in will receive priority funding. Helmsburg projects that are tied to other communities may be impacted if there is a lack of community support.

Additionally, a larger plant is more economically feasible to construct than a smaller facility. Spreading operation, maintenance, and administration fees across a larger number of people provides lower bills to customers while still covering costs to provide a well-maintained and long-lasting wastewater treatment plant. The project area impacts the type and size of facility constructed at Helmsburg, which also impacts the cost to the customers.

June 24, 2023

Question: How many individuals submitted questions to you?

**Received prior to hearing**

*Response: All questions will be provided in this document and added to the PER and BCRSD website for the public to review.*

Question: Were any letters of interest or questions submitted by individuals or groups that represent/work for companies involved with development?

**Received prior to hearing**

*Response: We are not in possession or receipt of any plan or plans that propose or suggest any development is being planned or considered. All questions and/or comment letters will be provided in this document and added to the PER and BCRSD website for the public to review.*

Question: On pg. 7 of the PER, you talk about the lack of septic records. Is the reason 40% of households don't have a record with the Brown County Health Department because the BCDH does not keep records after 30 years? Do you think this policy hurts homeowners and makes community decisions harder?

**Received prior to hearing, restated in letter received after hearing**

*Response: There is lack of records from more than 30 years ago but the lack of records doesn't hurt in making decisions. Septic systems do not last forever and once they reach 25+ years, it is time to plan for replacement. It does make it difficult to determine what type of system a property owner has and whether the system is designed to today's standards. For example, is it just a tank with a straight pipe discharge, etc.*

Question: You list there being letters of support from people in the Lake Lemon, Bean Blossom, and Woodland Lake areas but the only letters of support are from a handful of Lake Lemon landowners (about 8), why is that? Where are letters of support from Bean Blossom and/or Woodland Lake

landowners? Why did you include the roughly 130 responses to a survey that only asks if homeowners would be in favor of the county seeking a grant to help assess that lake area's wastewater utility? If you exclude letters from those just responding to support for a wastewater study of the watershed, aren't there only 8 letters of support? You have roughly 138 pages included in your 'letters of support' section and only 8 explicit letters stating they want or support sewers, isn't that only 6%? Why are there several duplicate surveys in the PER (up to 4 duplicates)? Why are there multiple copies of the same open letter for support included? If you include the 6 of 130 surveys where a landowner wrote they support sewers and add the 8 open letters of support, isn't that only 14/138 of your support letters that actually mention wanting sewers?

***Received prior to hearing, restated in letter received after hearing***

*Response: The reference to only 8 letters of support is not correct. Numerous printed letters of support, emails, and texts have been received and were only the first step for local residents to show support for the sewer project. This year alone at Lake Lemon the District had an information session with over 50 residents in attendance, A similar Woodland Lake session had over 30 residents in attendance. The District printed 100 "YES" yard signs to show support for the sewer project and local residents have posted all 100 signs.*

July 14, 2023

**Question:** Do you think the lack of support and downright opposition by full-time residents of Bean Blossom hurt or slow down funding opportunities for the Helmsburg Regional Sewer District?

***Received after hearing***

*Response: The sewer district does have letters of support from the Bean Blossom area which will be added to the PER. From feedback (sign requests, PER comments, etc.) we have gathered in the Bean Blossom area more owners support the project than do not.*

SRF has limited resources to allocate to projects state-wide. Projects that have strong community support and buy-in will receive priority funding. Helmsburg projects that are tied to other communities may be impacted if there is a lack of community support.

Additionally, a larger plant is more economically feasible to construct than a smaller facility. Spreading operation, maintenance, and administration fees across a larger number of people provides lower bills to customers while still covering costs to provide a well-maintained and long-lasting wastewater treatment plant. The project area impacts the type and size of facility constructed at Helmsburg, which also impacts the cost to the customers. **Question:** A lot of people believe this project is about developing a county that has remained very intact. At the required public hearing on 7/08/2023 the overwhelming amount of talk was about how we need this to develop Bean Blossom. Is it not odd or suspicious that the longest running member of the BCRSD and sitting President Mike Leggings is a home builder? That the brother of a county commissioner (who has voted every time to fund you when ask) has several business lots in Bean Blossom (some that are too small for a septic) subdivisions plotted in Bean Blossom, along McDonald Drive and Spearsville Rd, under the name KESSLYNN, INC but cannot develop the lots as easily without sewer - does that seem like this is more of a want by a handful of business owners and people connected to development more so than an environmental issue?

***Received after hearing***

*Response: We are not in possession or receipt of any plan or plans that propose or suggest any development is being planned or considered. The sewer district does have letters of support from the Bean Blossom area which will be added to the PER. In addition BCRSD is an independent entity that is separate from planning and zoning. Planning and zoning is done by a separate agency and has nothing to do with the District. The District's sole purpose is to clean wastewater in the watershed.*

**S. Randall**

[REMOVED]

July 13, 2023

*Question: What is the historic reliability for type/model of check valves in the grinder pumps? What is the failure rate?*

*Response: There will be a dual check valve system. One will be installed in the grinder pump basin itself and one will be located in the service line at the connection point to the main sewer. Both would have to fail at the same time to get back up from the system. The manufacturer's of these valves do not publish a life expectancy but they have been installed in systems for a number of years without failures.*

*Question: Based on previous experiences, what is \$ range per linear foot for construction of sewer line from home to the grinder/pump?*

*Response:*

*This is an expense that is paid directly by the homeowners so we do not have much data.*

*Question: If forced to connect to a new sewage system, will property owners be required to remove previous system (septic tank, fingers, above ground, etc.) at their own expense?*

*Response: Yes, once connected to the sewer system, each property owner will be required to abandon their septic system per local code at the property owner's expense. There might be grants and/or low interest loans that owners may qualify for based on their income levels.*

*Question: Once we receive more complete financial information (i.e., estimate cost of hook up, cost of construction of electric to the pump/grinder, cost in construction from dwelling to pump grinder, removal of previous existing sewer system, better estimate of monthly fees); when will the forum be to voice our support or non-support for the project?*

*Response:*

*The board at a regularly scheduled meeting would make the motion to approve the project and move forward with the proposed plans. There would not be a special meeting for this adoption.*

*Question: There seem to be inconsistencies and actual errors in the maps (in addition to the consistent misspelling of Trevlac). Who should be informed or asked about these?*

*Response: Revisions to the maps will be made as deemed necessary. Comments can be made to the BCRSD.*

***Both questions received after hearing***

## Financial Questions and Comments

### **M. Bird**

[REMOVED]

July 8, 2023

*Question:* Is this being funded by the state or local government? Are there any strings attached?

#### ***Written comment during hearing***

*Response: The project is anticipated to be financed with low interest loans and grants from the Indiana Finance Authority State Revolving Fund (SRF) and the USDA Rural Development Program. Both of these programs receive funds from the federal government. Financing will be provided to the respective sewer districts for the sole purpose of financing the projects indicated in the PERs.*

### **C. Trueblood**

[REMOVED]

July 8, 2023

*Question:* There was a comment made during the public hearing that the initial cost is \$15,000-\$30,000.

Is that correct? What is the initial cost?

#### ***Written comment during hearing***

*Response: The cost to install each grinder pump is between \$15,000 to \$30,000. Some of this cost could be rolled into the financing for the overall project. It has not been determined yet what the initial connection fee will be.*

July 10, 2023

*Question:* We attended the informational meeting regarding the sewer project. We have a house on Lake Lemon which we use periodically from April to October. Our water and electricity bills have a standard monthly fee and only charge more when we use more than the minimum. Will there be any accounting when billing for sewers that we are not there during approximately half of the year? Is there an initial 'buy-in' or hook up fee, and do you have any estimate on this?

#### ***Received after hearing***

*Response: At this time, the rates are structured as flat fees meaning each month, the fee will be the exact same with no discrepancy. In this specific instance, even though there will be no usage from November to March, a monthly bill will still be generated and due. If seasonal billing were to be entertained, the bills would just be larger during November to March to offset April to October. The amount of revenue needed to fund the utility's need that must be collected doesn't change. The option to have usage based rates would be available if meters from the water company were made available to BCRSD.*

### **S. Randall**

[REMOVED]

July 13, 2023

*Question:* I understand the exact \$ number may not be known, but based upon previous similar jobs what is an estimated connection charge?

*Response: It has not been determined yet what the initial connection fee will be. Although many studies have been completed, every project is different. As costs and funding sources for each phase are established, final connection costs will be determined.*

*Question: Please rationalize why someone of retired status and/or on limited income should subsidize those with 2<sup>nd</sup> homes or vacation homes on Lake Lemon?*

*Response: There is no subsidization assumed for Lake Lemon properties.*

*Question: Is there a plan for metered service (i.e., will we pay for what we actually use or will we be billed for some “average” usage)?*

*Response: At this time the rates are structured as flat fees meaning each month the fee will be the same.*

*Question: Is there thought being given to have prorated rates and connection fees based on ability to pay?*

*Response: At this point in the project this idea has not been pursued.*

*Question: Will commercial and large users (e.g., restaurants, churches, and other various businesses) have a rate schedule commensurate with their extensive use compared to residential?*

*Response: We are evaluating this and have considered high usage commercial customers to be subject to a different billing structure but that has not been determined at this time.*

### ***Questions received after hearing***

#### **J. Adams**

[REMOVED]

June 24, 2023

*Question: In Appendix K – you list five potential bills for customers. Bills range from \$404/month to as low as \$61.50/month. Can you talk more about the five potential options? Would expenses not included in the PER impact the bill? Why are 12/22 line-items not listed? Would including the blank/unknown operating expenses drive the forecasted bill up or down? Would there be a connection fee, if so, how much?*

***Received prior to hearing, restated in both written comment at hearing and letter received after***

*Response:*

July 14, 2023

*Question: Do you know the median income of those of us in Bean Blossom? None of my neighbors that I know of make over 30k a year, we are among the average income of Brown County – do you think we can afford this? Can you see why we wouldn’t want to float the bill that would open the flood gate of urban sprawl and development in our quiet community?*

***Received after hearing***

*Response: Bean Bloosom is split into census tracts 9747 and 9748 which has median household incomes of \$62,584 and \$69,688. These income levels are determined by the US census department and are used*

*by the funding agencies to determine grant eligibility and what monthly bills should be so that they are affordable by the community. As stated in other answers, this project is not being completed for urban sprawl or development.*

## Financial Section

### **B. Williamson**

*July 5, 2023*

*Question: Will eminent domain be used to acquire easements if a property owner is not agreeable to the easement? If eminent domain is used, does it require county commissioner's approval?*

#### ***Received prior to hearing***

*Response: In order to provide service to customers in need, the District will be required to extend sewer lines in and around its service area. In some instances, easements will most likely be required from property owners in order to extend the necessary sewer lines. Until the projects are designed and the routing of the new sewer facilities is finalized, the District will not know to what extent it will need easements or from whom easements will be required. At this point, no decision has been made as to eminent domain.*

### **B. Fox**

*July 13, 2023*

*Question: What exactly is the waiver criteria to not have to hook onto the sewer?*

#### ***Received after hearing***

*Response: Please review Indiana Code 13-26-5-2.5 for a complete explanation of exemption and waiver requirements. The complete listing of the Indiana Code for Title 13 – Environment can be found at <https://iga.in.gov/laws/2023/ic/titles/13#13-5>.*

*Question: What if you don't want a sewer easement on your property?*

#### ***Received after hearing***

*Response: In order to provide service to customers in need, the District will be required to extend sewer lines in and around its service area. In some instances, easements will be required from property owners in order to extend the necessary sewer lines. In these instances, the District will use its best efforts to minimize the impact on customers property as it extends sewer service to property owners in need of such service.*

### **S. Randall**

**[REMOVED]**

*July 13, 2023*

*Question: Brown County water does not extend to my property (I have a drilled well). Will I be required to hook up to the sewer?*

*Response: The proposed sewer system is independent of Brown County Water. All conditions related to sewer connection are defined by the proposed sewer boundary.*

*Question: What specifically are the requirements for an exemption waiver to hook up?*

*Response: See B. Fox Response above*

*Question: Who can I talk to about specifics of my location?*

*Response: During the design phase of the project, representatives of the engineering firm will contact property owners to look at the locations of individual grinder pumps.*

***Questions received after hearing***

**J. Adams**

[REMOVED]

*Question: What are the requirements/conditions for forced connection? After the required meeting on 7/08/2023 I spoke with a member involved in the project and was told if a system was 10 years or older that we'd be forced to hook up - that if it's under 10 we'd have to have an inspection done. Who pays for a septic inspection if you are demanding one?*

***Received after hearing***

*Response: See B. Fox response above. As stated in IC 13-26-5-2.5(b) (2), "the property owner, at the property owner's expense, obtains a written determination from the local health department or the department's designee that the septic tank soil absorption system is not failing." Additional requirements are stated throughout Section 2.5.*

The following comments and questions were made at or immediately after the July 8<sup>th</sup> Public Hearing

**D. Ma**

[REMOVED]

*June 23, 2023*

*Comment:* We are in the process of purchasing a house on Lake Lemon, the closing is in August. We just want to reach out and let you know that we like to be added to the list of houses to hook on the sewage line when it's done. The address is [REMOVED].

***Received prior to hearing***

**Lauren Robert**

[REMOVED]

*July 3, 2023*

*Comments:* I am in favor of bringing a new sewer system to our homes.

***Received prior to hearing***

**E. Daniels**

[REMOVED]

*July 7, 2023*

*Comment:* I'm writing in support of the Brown County Regional Sewer District sewer project for the Brown County watershed. I am in support of the sewer system in Woodland Lake where I reside. Yes to sewer project

***Received day prior to hearing***

**R. Duncan-Huse & K. Huse**

[REMOVED]

*July 7, 2023*

*Comment:* We are homeowners at Woodland Lake Estates and attended the sewer project info meeting last week with a presentation by Clint Studebaker. We support the massive efforts that he and others have done in the case study and proposed sewer project. We also agree that now is the time to seek federal funding and support to fulfill these plans. We cannot attend the July 8 meeting this weekend, but wanted to be counted with those who show up to support clean water and soil that the sewer project represents. The service this sewer project represents to these areas will also help home values. We look forward to these efforts in the Lake Lemon through Helmsburg areas of Brown County, which includes Woodland Lake Estates.

***Received day prior to hearing***

**B. Robinson**

[REMOVED]

*July 7, 2023*

*Comment:* My wife, Beth Ann, and I attended the meeting at John Hrynk's last Sunday, but won't be able to attend the meeting tomorrow. Our address at Woodland Lake is [REMOVED] and we are in favor of the sewer project. Sorry we can't be there tomorrow and hope things go well.

***Received day prior to hearing***

**C. Morgan**

[REMOVED]

*July 7, 2023*

*Comment:* Unfortunately, my wife, Jill, and I are unable to attend this Saturday's public hearing (July 8, 2023). Please accept & read aloud this letter of support for continued development towards a regional sewer system in Brown County. As an association member and seasonal resident of Woodland Lake for almost 10 years, I have witnessed my fellow neighbors' respect and fondness to protect and promote the health of our lake. The establishment of a regional sewer district and resulting system is an important component of that continued work to safeguard our valued natural resource. Thank you for your dedication and contribution of time toward this important effort.

***Received day prior to hearing***

**L. Wadzinski**

[REMOVED]

*July 8, 2023*

*Comment:* Please go forward with this sewer project. Septic systems are old technology – it's time to properly treat sewage. Septic systems may have been adequate 100 years ago but modern society has surpassed that technology – multiple bathrooms, clothes washers, dish washers, etc. IU has done studies at Lake Lemon and it shows high fecal coliform. It's time to modernize.

***Written comment during hearing***

**C. Gillim**

*July 8, 2023*

*Comment:* Please think about our future (we need this project). God's giving us help, why would we not accept it?

***Written comment during hearing***

**I. McCoy**

*July 8, 2023*

*Comment:* We need this. Think about the Earth.

***Written comment during hearing***

**A. Worthington & T. Lewis**

[REMOVED]

*July 8, 2023*

*Comment:* I would like to inform you that we are very supportive of the sewer project. Please keep us informed of any progress.

***Received day of hearing***

**J. & S. Riddle**

[REMOVED]

*July 8, 2023*

*Comment:* We were at the meeting last Sunday about the sewer project. This is Jerry & Sharon Riddle, [REMOVED]. We will not be able to make it to the meeting this week. We are in favor of the sewer project at Woodland Lake. If a vote is needed, please use this email for our vote for yes.

***Received day of hearing***

**A. Jones**

[REMOVED]

*July 9, 2023*

*Comment:* I live at [REMOVED]. I was not able to attend your meeting on July 8<sup>th</sup>. However I am interested in your project including waste water collection system along Southshore Drive. Please let me know any next steps necessary to be considered for possible services:

***Received day after hearing***

**R. Ball & B. Pendexter**

[REMOVED]

*July 13, 2023*

*Comment:* We live at [REMOVED] and are Brown County property owners. Our septic system was built around 1976. Our backyard goes to the overflow of Lake Lemon. We attended a couple meetings about this project proposal. We are supportive of this sewer project. We have had difficulty with our system which we believe needs major repair or replacement. I hope this project is supported and will be completed as soon as possible.

***Received after hearing***

**R. & D. Schrock**

[REMOVED]

*July 14, 2023*

*Comment:* I just want to say that we are 100% behind this project and cannot wait for it to be completed! We have attended the June meeting at Riddle Point Park, and the July 8<sup>th</sup> meeting at the 4H fairgrounds in Nashville. I am impressed with the PER, and read almost all of it, and believe that those few folks that objected to the project, either have not read the PER, or don't understand it. We need this project in the worst ways possible.

***Received after hearing***



The following comments were received at various times prior to the July 8<sup>th</sup> Public Hearing

**S. & B. Langbeen**

[REMOVED]

*February 4, 2023*

*Comment:* Our names are Steve and Beth Langbeen, we live at [REMOVED] at Lake Lemon. Yes I'm in favor of the sewer project. Not only will it benefit the residents, it will benefit the health of our lake. Thank you so much for your time.

**T. & L. Saccone**

[REMOVED]

*February 7, 2023*

*Comment:* We are writing in support of the Lake Lemon sewer system project. We are residents who live on the lake and see the establishment of a sewer system as positive step in the management of effluents entering the lake. Please keep us informed of your progress on this important project.

**B. & M. Nichols**

[REMOVED]

*February 7, 2023*

*Comment:* We are in favor of the sewer project proposed for Lake Lemon. It can't come soon enough. The water quality of Lake Lemon can be greatly improved by all homeowners on and around the lake switching from septic systems to a sewer system. The sewer system will also increase home values on the lake. Thank you for your consideration for this important project.

**T. & S. Caplinger**

[REMOVED]

*February 7, 2023*

*Comment:* At this time, we would like to be made a part of the request for sewer service at our home address listed above. We are making the request as sewer service would allow us to have wastewater disposal system without worries of having to schedule septic clean-out service, worrying about maintaining our finger system and fear of something happening to crush any of our finger lines. We would also have the comfort of knowing that our wastewater system would never fail and leach any gray/black water waste into the waters of Lake Lemon. Having the sewer would ensure that we are doing our part to maintain the environment and the lake for our community and future generations of homeowners on our lake. A sewer system would also help to maintain or elevate the property values of everyone in our community. The housing market has been on an upward trend for the last couple of years which has helped to increase the value of properties in our area. As the market stabilizes and property values plateau and possibly decrease, a sewer system would help to ensure that our property values would continue to hold and possibly increase on their current value. Thank you for taking the time to review this letter. Please let us know if there is anything more we can do to assist in the efforts to bring the sewer service to the area.

**B. Lewis**

[REMOVED]

*February 10, 2023*

*Comment:* I am writing this letter in support of the sewer system project for the Lake Lemon area. Having a sewer in our area would be a great advantage for not only homeowners, but also the health of the lake. As a lake homeowner for 35 years, I know the importance of keeping a healthy septic system. Our systems are getting old and need constant monitoring to keep them healthy. Having a sewer system would help all of us on the lake to keep our area safe. The health of the lake is also very important to all of us for its recreational value. Having a healthy lake provides an area for safe water sports for my children and grandchildren. Thank you for your work in establishing this very important project for our area!

**C. & J. Trueblood**

[REMOVED]

*February 13, 2023*

*Comment:* My wife and I, Carol and Jesse Trueblood, are writing in support of the sewer project that would extend to Lake Lemon. We own the home at [REMOVED]. We have never had an issue with our septic system but we know that they are more vulnerable than county sewer lines. We are also aware the some leakage is expected with septic systems and that the proximity to the lake means that some waste runoff is seeping into the lake in various areas. We are hopeful that the project is approved and extended to Lake Lemon to provide better waste disposal for the homes impacted and to help eliminate whatever waste seepage might be trickling to the lake from these properties. This would have a positive impact on the lake resources, wildlife and users of the lake. It is the more environmentally sound solution for waste disposal for Brown County and the Lake Lemon community.

**J. & J. Treida**

[REMOVED]

*February 13, 2023*

*Comment:* My husband and I own a home on Lake Lemon, specifically [REMOVED]. I am writing to encourage the Brown County Water Board to proceed with the sewer system project. We love Lake Lemon and want to do everything we can to protect it for generations to come. Unfortunately, poor working septic systems allow sewage run off into the water – endangering animals and humans alike. Although the proposal is just for Brown County, we would like it to expand to the entire lake. With so much effort being put in to dredging the lake, this is also a crucial step to ensuring the quality of the lake for the future. We appreciate your consideration.

**T. Diehl**

[REMOVED]

*February 15, 2023*

*Comment:* I am writing this letter to inform you of my interest in the sewer project that would extend to the Lake Lemon area. Personally, I think this would benefit myself and many other property owners and renters at the lake. It would help with the general health of the lake which would benefit more people than just property owners, and would allow housing growth which is limited by current septic conditions and restrictions. Lake Lemon is a wonderful recreation area and many would love to see it's life extended. This is a project that I hope you back and consider helping it move forward. Many tax-paying property owners can be affected in a positive way by your consideration. I am prepared to make changes to my property to accommodate installation of infrastructure as needed.

**M. & J. Noe**

[REMOVED]

*February 20, 2023*

*Comment:* My wife and I live at [REMOVED]. We are sending this email to let you know how strongly we want the sewer system for our neighborhood (we live on a cul-de-sac). We are hopeful that as a result of this project, the lake will be less likely to become contaminated by leaky (old) septic systems.

Additionally, as property owners, we believe it help fill our needs much better than our current septic system. As far as we are concerned, the project can't start soon enough. Thanks for your consideration in this regards and if you need anymore information, please contact us.

**C. & K. Johnson**

[REMOVED]

*February 24, 2023*

*Comment:* We are writing with regard to the efforts to establish sewer services for Lake Lemon residents. We are in favor of moving forward, as it should be good for property value and is a better alternative than septic tanks. Thank you for consideration.

**A. Wroblewski & V. Britt**

[REMOVED]

*February 25, 2023*

*Comment:* My husband and I own a home on Lake Lemon, specifically [REMOVED]. I am writing to encourage the Brown County Water Board to proceed with the sewer system project. We love Lake Lemon and want to do everything we can to protect it for generations to come. Unfortunately, poor working septic systems allow sewage run off into the water – endangering animals and humans alike. Expanding access to sewers would alleviate much of this issue. Please also note that our properties values will increase with this area wide upgrade leading to a higher tax base for the county. Although the proposal is just for Brown County, we would like it to expand to the entire lake. With so much effort being put in to dredging the lake, this is also a crucial step to ensuring the quality of the lake for the future.

**J. & C. Rombach**

[REMOVED]

*March 9, 2023*

*Comment:* My wife and I live on Lake Lemon and fully support the development of a sewer system for the properties in the vicinity of the lake. We hope that it helps with the lake water quality and keeps the lake safe for use by not only residents but also of the wildlife that inhabit the area. We love our lake and hope that the sewer project is supported by our state and local government entities. If you have any questions, feel free to contact us.

The following comments and questions were made at or immediately after the July 8<sup>th</sup> Public Hearing

**P. Nelson**

*July 9, 2023*

*Comment:* I suggest taking Woodland Lake out of Phase 1 so you can concentrate on the Helmsburg to Lake Lemon segment which is key. When that portion is up and running, we will have something to make a decision with. Until then you are only collecting names to impress the SRF. Lake Lemon wants it, Lake Lemon needs it and they are willing to contribute to it in all respects. Bean Blossom offers some of that. Woodland Lake? Very little of it and tests show Woodland Lake to actually be quite clean. We don't need it! And most of us don't want it.

***Received day after hearing***

**R. Cochran**

*July 11, 2023*

*Comment:* Absolutely not! You cannot force people that don't or can't afford it. No, no, no.

*Comment:* No sewers. Do not force on people if they don't want it. No, no, no.

***Both comments received after hearing***

**S. Wilkerson**

[REMOVED]

*July 12, 2023*

*Comment:* I wasn't sure if this is the place to place my comment/vote of "no" for this project.

***Received after hearing***

**S. Randall & M. Stockton**

[REMOVED]

*July 13, 2023*

*Comment:* Though the meeting on July 8 was well organized, way too much time was spent on introductions rather than substance of the project proposal. Unfortunately, questions were not received during presentation (though one request was made and acknowledged to go back over a skipped slide) and questions after presentation were only through preregistered individuals AND were not directly addressed. There was plenty of time that could have been used to open up discussion at the end to questions from those who had not yet been heard. The issue we had with the presentation was the almost total absence of financial information specific to user/dwelling owner regarding the project. 1) the estimate given for monthly user fee (\$84.10) is the absolutely lowest possible rate; only likely if all grants possible are obtained. The reality may well be much more than that if all grants are not received. That slide showing costs related to grant reception was up for only a few seconds, not nearly enough time to examine closely. 2) No estimate of connection costs were given (surely due diligence would uncover sufficient info to give an estimate, probably no worse uncertainty than the monthly fee estimate mentioned above in #1). 3) No estimates for (owner responsibility) construction of sewer line from dwelling to the grinder-pump (e.g., \$ per linear foot). 4) No estimate of the cost of electrical

connection required to be made from dwelling to grinder-pump. 5) No estimate for the removal of existing septic systems (if that would be required; we would certainly expect failed/failing systems would be required to be removed). While we are strongly in favor of protecting our recreational and drinking water and the environment in general; we do have financial limits. Nor do we feel we should carry the load for those who wish to expand their lake cottages or to remedy the issues at vacation homes. There is no mention for exemption of those with functional septic systems, particularly for those of limited means. There is no way we can consider whether to endorse this plan or any other plan without being able to understand the total costs involved.

***Received after hearing***

**J. Adams**

[REMOVED]

*July 14, 2023*

*Comment:* My name is Jacob Adams. I live at [REMOVED] (Bean Blossom) and am not in favor of the proposed wastewater project to run sewers from Lake Lemon to Woodland Lake.

*Comment:* My final note is that this has and continues to be about developing the county, especially Bean Blossom, not only because of who owns property in the area but also because it sits along two state highways. Our county officials often talk about the desire to develop along state highways. To rope us in on a project that only began with Helmsburg needing money for upgrades at is absolutely ridiculous and shows how much the BCRSD is willing to destroy or delay in its absurd quest to develop the last large tracts of land that haven't come into the hands of developers south of Indianapolis yet because the infrastructure isn't in place.

***Both comments received after hearing***

**S. Sichting**

*July 14, 2023*

*Comment:* My name is Stacy and I live in Bean Blossom. I would like to express my opposition to the sewer project. A major advantage of septic systems is that they are more environmentally friendly than sewer systems. They require less infrastructure than sewers and use less energy than municipal treatment plants. Plus, septic systems rarely rely on chemicals to remove wastewater pollutants. Septic systems also replenish groundwater and nourish trees and plants. The cost of installing sewers would be a burden to homeowners and many of us wouldn't be able to afford the cost up front.

***Received after hearing***

The following condensed transcript comments and questions were made at the July 8<sup>th</sup> Public Hearing

**Robert Cochrane:** My name is Robert Cochrane, C o c h r a n e. I live at [REMOVED]. I am opposed to the county-wide sewer district, because I don't want Brown County to turn into Gatlinburg, which will happen if this goes into effect. History proves this to be true, and we don't have politicians with spine enough to prevent it. History proves this also. The people in Brown County have no reason to trust Brown County politicians. We are seeing that now with zoning turning our county into a tourist voting capital. One half of Brown County people live off less than 32,000 a year. Think about that. Yet you are going to force them to pay \$1,000 a year additionally to live here. They cannot afford it. They will leave, and when those young people leave, they will take their children with them, and we will immediately petition to close the Brown County Schools rather than wait for the inevitable. This will be the consequence. You need to strip away the language which forces families with healthy septic systems to connect to the sewer and destroy their septic systems. You need to strip away the language which allows Brown County Board of Health to take a family home just because they are poor. That's in the law, folks. It's going to happen. You're going to read about it in the Democrat. Brown County people want a peaceful country life. Do not ruin Brown County just for greed. Jim Kemp of the County Council once told me at a meeting that if I cannot afford to live here, I should move to Columbus on State Street.

**Paul Nelson:** My name is Paul Nelson, that's P a u l, N e l s o n. I live at [REMOVED], over by Woodland Lake -- well, on the lake, actually -- and my question is -- I'm going to go out on a limb here and assume that the sewer project is going to move forward. It seems overwhelmingly that Lake Lemon is very much in favor of it, they have a need, they have a want, and they are willing to put private money into it. As opposed to most of the question marks are to the east of Helmsburg, and I'm not saying I'm for or against, I'm just saying that's where the question marks are. And I don't expect them to cover every question mark today, but my question is: When they break ground on this, are they going to go from Helmsburg to Lake Lemon so that we can watch and see how this develops, and at that point we can make -- we're better prepared to make a decision, rather than just say today, "Yeah, everybody wants it," because not everybody wants it, because not everybody has all of the facts, and that includes me. So, thank you.

*Response: The desire of the board is to complete as much of the Eastern and Western corridor project as possible at the same time. However, it depends on funding. Early indications from the funding agencies are that we will have to complete the project in phases. The exact phases have not yet been determined. The sewer district does have letters of support from the Bean Blossom area and will be added to the PER.*

**Mike Bird:** Hello folks. My name's Mike Bird. I've been a resident here since 2011. Let's get this -- the last name's B i r d. My wife and I moved down here, we thoroughly enjoy it, and it's a beautiful section of the country that we live in. We've invested greatly into our home. (Microphone feedback.) Hopefully I'll get that time back. I am opposed to the project. It's real simple to me. The County forced me to put in a

Presby system. They said if we were going to invest in our home and have a nicer home and build on that home, we had to upgrade our system. So, we did that, to the tune of 15,000 bucks. Now they're coming along and they're telling all of us, "Hey, let's put this system in, and by the way, you're going to have to pay fifteen to thirty thousand dollars plus a monthly rate," so basically it's a tax. I have a good system. Many of us do. If I decide to build again, the County's told me if I decide to add on more, they told me that in addition to that, I've got to put in another mound system. Well, now we go another ten or fifteen thousand dollars onto that. And we've got a time lapse that's going to happen. What about that issue? Also, our dear attorney over here, he says to us, "Listen, we want to get all of the free money we can get." Yeah, there's no such thing as free money. It doesn't happen. It comes with strings attached, and especially this federal deal and the state deal. What they're going to do is they're going to do everything, they're going to get all of the federal money, and then all of the -- I hate to be political here, but the liberals out of the Washington is then going to say, "You've got to build public housing."

Response: See other answers regarding waivers for connection. There is no public housing tied to any of the funding sources BCRSD are pursuing.

**Ann Knotts:** My name is Beth Ann Knotts. I'm an educator, and I'm actually at Helmsburg School. I probably most identify as a resident with Mr. Bird, not updating the system, paying for fees, working with John Kennard and being told what I can and can't do, what size home I can live in. So, I respect that, Mr. Bird, wherever you went. However, what I think is really resonating, our kids need everything they can get. Our bathrooms sometimes don't work, our sump pump fails. We need what you're offering. My issue is: When I go buy a car or when I go -- I don't want a lot, but when I go to buy something, I really know what I'm paying and what my fees are. It is very hard for me to sit here today and want this, which maybe I do, know that my kids and over 225 students need it, know what I went through as a homeowner, and really have no clue what my fee is. I hear about a rate that's \$84 a month, I don't know what a connection is, and I'm probably like Mr. Bird, I could probably get an exemption, my system's good, and it's new. But really, we don't know enough to make a decision. We've not been informed, and as an educator, I just feel like you owe me more information, and I don't have what I need yet to even really tell you how I feel.

Response: The BCRSD board understands this concern. At this time, we have provided the public with the best information we have. Until we get further along in the funding process, we will not have definite answers to some of these questions.

**John Hrynk:** I am John Hrynk, H r y n k, [REMOVED] a/k/a Woodland Lake. I am in support of the project. When I first moved to Brown County in 1997, we bought a tiny cottage. When we first got the welcome packet, it said -- it gave some information about septic systems, and one of the things it said was, "Be careful that you don't overload your septic system." I always thought that was interesting, because later on they came not only with writing, but verbally, several of the old-timers, to say, "Be careful that you don't overload your septic system." I found out why when we built a new home in 2001 and realized that we had a 600-gallon tank and a two-finger system on the property. And we did put in a new septic system. I think it cost us around -- probably twelve or thirteen thousand to put it in. We had a neighbor down the road from us just put one in for \$27,000. We desperately need this project to go through on

Woodland Lake. Now, Woodland Lake, some of those same systems are -- that were in place in 1959, whether they had a two-finger system or whether they had no system at all, that simply went into a ravine, they're still in place right now. Some of them have been replaced, some of them have been modified, but there's a lot them still around, including one of my neighbors down the road that said he's been there for about 18 years and has never pumped his system, ever. I wonder where that sewage is going. I would encourage you to -- the other thing that is unique about Woodland Lake is if our system, septic system, fails, most of the lots are small enough that we cannot put another septic system in that piece of property. That's a real problem for us.

Response: Thank you for your comment.

**Paul Lattimore:** Hello. Excuse me. My name is Paul Lattimore. My wife and I, Tania, own Brownie's in Bean Blossom. Last name Lattimore, L a t t i m o r e. Address is [REMOVED]. We are highly dependent on the septic system coming through. At this point -- (Discussion off the record.) Sorry; I am not good at this. The amount of money we're spending is about three to four thousand dollars a year -- or a month -- just to have the water pumped out. I do not have any fingers on my septic. I am a hundred percent pump and dump, so every bit of water that goes down my drain gets pumped out. If somebody goes into the restroom to wash their hands, it probably costs me fifty cents. It's 25 cents a gallon is my total water cost. And, you know, that's part profit, but at my cost, you know, it affects what I can pay my employees, and, you know, the future of the restaurant and being able to grow is dependent on having the money coming in. We really want to be -- continue to be involved in the community and outreach with the public, and, you know, we need the funds to do that, because we want to help. We want to help the local schools, the local sports. And, you know, the community, I think, needs the sewer to come in to generate some growth, get some more business. Business breeds business, and that breeds tax revenue. That's good for the community, and it just allows us to continue to grow. That's it.

Response: Thank you for your comment.

**Tania Lattimore:** Hi everybody. I'm Tania. And first of all, I want to tell all of you how much we appreciate your patronage of Brownie's. We love seeing you guys come in, we love talking to you, and we love being a part of this community. The problem is: How long will we be a part of this community? If we're continuing to pay three, four thousand dollars a month and we have a slow period, what are we going to do? And I don't think the question is attracting big business. I don't think that's an issue right now. We moved here because it's beautiful, because we love it here, we love the environment, we love the community, but we can't even staff the Dollar General to keep them open during their normal working hours. What big business is going to come here wanting to employ hundreds of people when we don't have them? So, we're not a place that big business is going to be attracted to. But we, as a business that supports the community and supports all of you and feeds all of you, I can't guarantee that we will continue to be here if we can't get this through. It's just a matter of finances. So, I encourage all to think about that and how many businesses you might lose by not having this.

**Unidentified Speaker:** And I love your restaurant.

Response: Thank you for your coment.

**Tania Lattimore:** And I love hearing that. Thank you so much. We've got a lot of support here. We just want to continue to grow and we want to be a part of this community and continue to give back to the community like we're starting to do now. So, that's it.

**Neal Wagler:** Neal Wagler, N e a l, W a g l e r. I'm here to speak on behalf of Wagler Brothers Excavating, who I'm the co-owner of, and also Bean Blossom Community Church in Bean Blossom. We want the sewer. We have a tank and a line that goes on the Fox property. No other septic site. So –

**Unidentified Speaker:** Speak up, please.

**Neal Wagler:** Oh, could you not -- oh, there it is. Do you want me to repeat?

**Unidentified Speaker:** Yeah.

**Neal Wagler:** Okay. I'm Neal Wagler, co-owner of Wagler Brothers Excavating and a member of Bean Blossom Community Church. We want the sewer. We want to hook on at the church. We do not have an adequate septic system. Obviously I am a septic installer. There is no septic site on that property. I'm seeing -- I've been here -- I'm a '79 model, been here my whole life, and I'm seeing a bit of decline in the county as far as children leaving this place, and I think that the sewer would help with that. So, being a septic installer, I'm not afraid to think there's not going to be still 150 permits issued every year, I'm sure, because the sewer cannot go every place in this county. It just can't. So, I think that myself, Kyle, we're going to keep putting septic tanks in, and most of us will not be affected by that. So, that's all I've got.

Response:      Thank you for your comment

**Cathy Rountree:** My name is Cathy Rountree, C a t h y, R o u n t r e e. I've been a resident of the county since 2012. I'm a retired nurse. I served with others in this group on the Septic Ordinance Committee, and I'm a member of but I am not speaking for the Board of Health. As a nurse, I've seen the effects, health effects, not just environmental effects, of contaminated water. I have seen sick adults and very sick children from water contamination. As a member of the Septic Committee, I learned more about septic tanks than I ever thought there was to learn. I learned that septic tanks have a defined life span. I learned that just because we can empty our drains and flush our toilets does not mean that our septic is purifying the material that goes through it. As a member of the Board of Health – and again, I'm not speaking for the Board of Health Department -- one of the most difficult positions we ever find ourselves in is when people come to us with a problem with their septic, people who have lived here their whole lives, people who want to expand their home, people who want to turn a vacation home into a residence, people who want to sell their home, and they find that a septic tank that was built in the 1960's and met the laws then no longer meets the state law. It's not a county rule, it's a state rule, that if a home is expanded, the septic has to be brought up to the current code. And we just come into the most difficult situations, especially for folks who live near the lakes, where people just can't meet their dreams, and people constantly ask us, "When are we getting a septic? When are we getting a sewer? When can we hook into a sewer." So, I'm very much in favor of this project. I'm not affected by it. I have a septic, and I'm so far away from any potential sewer that I'll probably never have one, but I do believe that this is a good solution for the problems that we have. Thank you so much.

Response:      Thank you for your comment.

**Steve Staley:** My name's Steve Staley, S t a l e y. I live in Bean Blossom. I do want to say I'm for this, and here's the main reason why: It's just cleanliness of the water, guys. I remember when I was a kid, we used to go out to the quarry holes and go swimming all of the time. It was great. We'd swim in the creeks. You just can't do that today. It's getting worse, and it's not going to get better. Septic systems were great under ideal conditions, but you just don't get ideal conditions in the real world, and things change. You could work on them, try to maintain them, but it's tough. Most people don't do everything they need to do to maintain them, and they fail. When they fail, you could be in deep trouble. You can't put a new system where an old system was, and most people just don't have the land available to do a new system. They're expensive. We take utilities for granted, but boy, when the power goes out, it's a problem. When you lose water, it's a problem. With septic systems, when they go out, it's a little at a time, things get worse and worse and worse. I've been in Brown County since 1992, in Bean Blossom since 1998. The problem's not getting any better, it's getting worse. And when you look at these maps and you see these watersheds, it's not just local. This goes a long ways. We've just got to make it better, because now, thinking about grandkids. They're getting bigger. I can't believe it. It happens fast. We've got to find solutions. Now, cost —

Response: Thank you for your concern.

**Les Wadzinski:** Okay. Is this thing on? It sounds like it. Okay. I'm Les Wadzinski, W a d z i n s k i. I live at [REMOVED]. So, I'm on Lake Lemon, and so, that is my concern. I am in favor of this project for the health and the water quality of Lake Lemon, and we've heard many, many reasons why this would be a good thing. You know, one of the more important or significant ones is the IU studies that are done actually several times a year, sampling out there, and yeah, we have a lot of coliform, which is poop, okay, in the lake, and that's not a good thing. Septic systems are -- it's hundred-year-old technology. You know, we need to use the technology that we have nowadays and get our water clean so, you know, we can have a good lake, good environment, all of that kind of stuff. I do have a question -- I know this is time for questions, too -- and that is: I do have a Presby system that works good, but I'm good to -- I'm willing to hook up. But I have a tank, and my question is: Can I use that tank for this grinder pump, or -- you know, because I'm a little concerned. A 70-gallon tank that that thing's in, and when you get a power outage for, you know, a long time, it's not going to take too long, even if you're not running your dishwasher or washing machine, et cetera. So, a comment and then a question. Thank you.

Response: The grinder pumps that are installed in this application come in a packaged pit equipped with floats, valves, controls, etc. The issue with putting these pumps in larger tanks is the additional detention time of the sewage. Off gassing starts to occur and they eat up the pumps so instead of lasting 10+ years the pumps may only last a couple of years.

**Erika Bryenton:** Erika Bryenton, E r i k a, B r y e n t o n. Four-bedroom septic tank last fall, 28,000. At my current rate, I have ten percent of the Helmsburg sewer bills at this point, 92.50. That's going to take me over 25 years to pay for that septic system, not including all of your maintenance and pumps along the way, and will it even still be functional [sic] at the end of 25 years? Just because your neighbor said that their septic system's working doesn't mean it's not [Sic]. I sold a house last year. I'm a realtor. The owner said it was working fine. They had holes drilled in the side of their riser with pipes so it would

drain out before it came out the top of the lid. Just because your meters say it doesn't mean it's happening. You want these issues resolved. This young person is staying in this county with her two young children. I have five step-grandchildren that are getting ready to move into this county. They're leaving because there is no affordable housing. If we can't address affordable housing, as septic systems are extremely expensive, we will have a problem with our school system. It's happening now, not because the sewer system is here. Just -- if you want the Health Department and government agencies to not be involved, get on the sewer system. If you want to expand, remodel, anything, you're going to be talking to John Kennard and Ernie Reed. We did a project on a house last year. In the 19 -- their septic system was put in in the 1990's. It's already outdated. They are a pump-and-haul now, because they wanted to do an expansion. You can't even have a jetted tub without fixing your septic system. The HRSD promises me that they will not pick an option that increases the current sewer bill. I'm putting you on the spot, because I pay 92.50 on six different properties right now. But I -- you are required to have a functioning system, period, so you can either pay a sewer bill -- and guess what? When it's not working: "Hey, it's not working. Come fix it." "I don't have to." They get a lot of calls from me. It's all on them. Trust me, it is cost effective for you to be on the sewer system, even at 92.50.

Response: Thank you for your comment. Both sewer boards will work to keep rates as affordable as possible while still being able to maintain good service.

Thank you for your comments. Helmsburg RSD entered into this joint project with Brown County RSD in an effort to hold steady or decrease existing customer bills. As stated in the PER, the existing WWTP is failing and must be replaced. Maintaining the current customer costs while replacing the WWTP without adding to the service area is not feasible. Helmsburg RSD will continue to work towards affordable rates for all of its customers.

**Robyn Rosenberg:** Robyn, R o b y n, Rosenberg, R o s e n b e r g. Basically Erika touched on everything I had to talk about. If you want to enlarge your house, you have to enlarge your septic. If your house burns down, you can't use the septic that's there, you have to put in a new septic. If -- my mind just went blank. There's so many reasons for the sewer. Bean Blossom. I've lived here over 33 years, and I remember when Bean Blossom had a gun store, a printers, a used car lot, antique stores, grocery store, furniture store, a farmer's market. There's only like three -- well, Bill Monroe was there, but all of those -- most of those have all left, if not all of them, because they could not function any longer. If you want Brownie's, you want the sewer system. They should not be paying three to four thousand dollars a month for you to wash your hands. Actually, when I go to Brownie's, I go to the bathroom before I go in and then I take hand sanitizer with me, and I go when I get home, because it's not fair to them. I don't even get a glass of water. I love water. I'm a big water drinker. But I just feel what's happening to Brownie's, what's happening to Bill Monroe -- Dollar General, how much longer can Dollar General hold out this way? We have to do something. It's up to us to do it, and it's the right thing to do. Thank you.

Response: Thank you for your comment.

**Jake Adams:** Hello, everybody. I'm Jake Adams, that's A d a m s. I'm at [REMOVED]. That's phase one of this proposed project. I'd be forced to hook on if it does go through. I'm against this project. It really just

seems to be all for the development and wants and special needs of individuals, and I feel like I shouldn't have to pay for the poor business decisions of others. I guess my comment here was that there's been a lot of talk about E. Coli, and probably hundreds or thousands of studies have been done over the years since who knows when, '50's, '60's and on, but none have identified the source of E. Coli. It could be from environment, it could be from combined cattle feed lots that run right through Bean Blossom Creek, which I'm right downstream of. Only two sample sites have actually confirmed human E. Coli in Bean Blossom Creek, and I feel like there should be a lot more studies done before anything like this is even proposed, to find the actual true source of E. Coli. Like I said, I don't want to be on the hook for the wants and special needs of the Nature Way and Woodland Lake, for something that would run all of the way to Lake Lemon, just because other people want it. And you've heard it: Development, development, development. If you really think it's about the environment, then test more for this source. Like I said, it could be coming from just nature. It's actually only E. Coli from humans that can cause illnesses in humans. So, we need to figure out if that really is a problem. Like I said, there have only been two sites [sic] done in the entire 71-square-mile watershed of Bean Blossom, and that was done in, I think, 2019 or 2020. Why they haven't done more, I don't know. You would think that they might want to do that. So, again, I'm opposed to it. I like to live as independently as possible. I want to be left alone, essentially. And I own several lots in Bean Blossom, none of which I want to be hooked up on, have another extra bill. Back when there was the Bean Blossom Regional Sewer District, they talked about \$1500 hookup fees.

Response: Thank you for your comment. See other responses regarding sampling and development.

**Steve Langbeen:** Hello. My name is Steve Langbeen, L a n g b e e n. I'm from Lake Lemon. I've only been there about six years, but I think I can speak for a lot of the friends of Lake Lemon that I know, that we are all in favor of this sewer project, for rebuilding houses, for adding onto things purchased, the health of the lake. Thank you.

Response: Thank you for your comment.

**Ann Whaley:** Ann, A n n, W h a l e y, Ann Whaley. I want to first say hi to all of my neighbors, and thank you for coming and caring, and I want to thank all of you as well. I served as a Middle East consultant for the military for many years and won many awards, and most of this I did for free. I love to volunteer. In fact, I've volunteered now with the fire department, and also, if you've ever gone to Mother's Cupboard, I volunteer there. I am a part of your community. It's my community. My husband and I bought a cabin three years ago, during COVID. We got a little scared. Anyhow, we were in Indianapolis. I moved here. After living in the Middle East with no trees, I'm home. I feel like I'm part of you. I live at the ridge. I am a ridge rat. I'm at the top of Grandma Barnes, and there's several other neighbors here. We have small lots. Everything I have is in my cabin. I don't know how many times John Kennard and Ernie have threatened us. In fact, we were even told a few months after we got our place that our home would be condemned. I asked them to come out and check the system, and he said, "I already did." And I asked, "How did you do this?" And he said -- I don't know if you were here. I remember it very well. He said, "I smelled it." Well, we're very close together, and that's not scientific. What I want is scientific. But we are

homeowners, we're a neighborhood, we get together. Even though you drive down 135 north and you see all of those cabins, we're a neighborhood, we're family, we volunteer, we do things for this community. I'm tired of being harassed, "I want to hook up to a sewer system." I don't have the money, and I want to retire. Please consider this.

Response: Thank you for your comment.

**Russ Herndon:** My name's Russ Herndon, H e r n d o n. I live at Lake Lemon. I moved here in '78, built my house. I moved here in '78, built my cabin, and I love Brown County. I live at Lake Lemon now. And I understand the people that don't want to be forced to do something. No one wants that. We do have a lot of people in the county that really need this, for the reasons that people have shared with us. There is E. Coli ending up in the lake and all of the way down the path. Whether or not you folks on the Way are contributing or not, I don't know, but we need to move ahead with this to keep the county cleaned up, afford more opportunities for people to build, add-on to their homes, fix-ups. The problems that you have with the County Health Department is not related to this. So, I know you harbor those feelings, possibly, but don't let that determine what we do here today. It's a real important thing. Thanks a lot.

Response: Thank you for your comment.

**Chris Kaufman:** That concludes the list of people who had signed up to speak. Just as a reminder, on the agenda, additional questions and concerns are welcome and must be submitted via e-mail or postmarked by July 14th, 2023, by the end of the business, and will be included in the Preliminary Engineering Report. Please submit one question per e-mail or form, but submit as many questions and comments as desired. The e-mail address is listed on here, and all of the written comments, please make sure that they're in the box, and any comments that were spoken and/or put into the box will be addressed in writing in the PER.

**Response to statements by Tim Clark and Lynda Sandow, Ph.D.**

The following commentaries regarding the Lake Lemon-Woodland Lake Sewer project have been reviewed in their entirieties for questions directly related to the PER and this amendment. While they were submitted as a public comment on the July 8<sup>th</sup> Public Hearing, they are in fact long opinions and rebuttals of common actions, rules and guidelines that local, state and federal agencies have adopted and referenced for several decades.

Both contain many comments and opinions on the validity of source data, accepted standards, agency rules and traditional engineering practices that are beyond the scope of typical PER responses. We chose to include them in their original un-edited form as part of the complete record of public comments.

There are no additional or unique questions, that pertain to this PER, contained in these statements that have not been previously addressed.

Many statements herein are the writer's opinions that are presented in rhetorical question form and will not be addressed.

Statements made herein referring to possible misconduct by the boards and consultants will not be addressed.

From: Lynda Sandow, Ph.D. <[lg sandow@gmail.com](mailto:lg sandow@gmail.com)>  
Date: Wed, Jul 5, 2023 at 10:41 AM  
Subject: Sewer Project Questions  
To: <[BrownCountyRSD@gmail.com](mailto:BrownCountyRSD@gmail.com)>  
Cc: <[broberts@ifa.in.gov](mailto:broberts@ifa.in.gov)>

The PER contends the proposed sewer project was developed to address the high levels of E.coli found in water samplings of the Bean Blossom Creek watershed. The Watershed Study concluded that “pastureland loads more E.coli to Brown County streams than other sources....” If the primary intent of the BCRSD board is to reduce the watershed’s high levels of E.coli, why is not pastureland the primary focus? Would this not be the approach most in accord with the Strategic Wastewater Plan’s strategy to prioritize on the basis of greatest environmental impact?

Despite the absence of supporting source-tracking data, the PER, and the Strategic Wastewater Plan, falsely purport that the presence of E.coli in the watershed is primarily attributable to a large number of failed septic systems. The Watershed Study noted source tracking was only able to suggest a possibility of E.coli being human-sourced in less than 28% of the sites assessed (with a probability of 50.5% to 94%). Per the Strategic Wastewater Plan, the source of E.coli found in the Bean Blossom Creek watershed could be attributed to “mostly” (approximately 75%) human for only one (1) of the 10 sampling sites within the proposed phase-1 project area, and, although no location key is provided in the document, this site, BB12, appears per the maps provided to be located in Helmsburg, where sewers are utilized. The Brown County Democrat newspaper reported that at a public meeting on June 19, 2018, when the BCRSD board was asked multiple times for empirical, verifiable, data on failing septic systems in the Bean Blossom area, the BCRSD “...did not have data to show where the failing septic systems are in the sewer project area.” Is the BCRSD board still unable to provide real documentation of failed systems within the eastern corridor of the proposed phase-1 project area, and continuing to rely on unsubstantiated conjecture? What are the ramifications of providing false information to State and Federal funding sources?

Within the eastern corridor of the proposed phase-1 project area, 17 water samples of Woodland Lake taken by the Health Department in 2016 found average E.coli readings of 31.35 cfu/100 mL, with more than 70% of the readings within in a 01-17 cfu/100 mL range, and far below IDEM’s standard of 125 cfu/100 mL. What is the rationale for the inclusion of Woodland Lake in the proposed phase-1 project area? Documented human-sourced E.Coli? Or, as stated on the BCRSD’s website, the dwelling unit number necessary to acquire State/Federal funding since the board had been unable to acquire funding for the original/smaller project? Roughly half of the houses on Woodland Lake are vacation homes with only non-routine septic system use. Why does the PER not mention that these dwelling units are not primary residences? How is the inclusion of Woodland Lake, with largely insignificant E.Coli readings and a large proportion of non-resident dwelling units, consistent with the Strategic Wastewater Plan’s strategy to prioritize on the basis of greatest environmental impact?

The PER’s (and the BCRSD’s) unsubstantiated estimate of failing septic systems within the Bean Blossom Creek watershed appears to be based upon the HEC’s 2010 guesstimate of 30%. The PER hypothesizes that a much higher percentage must now be failing, citing that since 2010 there have been “...no large-scale septic system improvements...”, however privately funded septic system installations have transpired

throughout the eastern corridor of the proposed phase-1 project area, at least three (3) on Woodland Lake alone. How many additional installations, and repairs/ improvements, have transpired since 2010 within the eastern corridor of the proposed phase-1 project area? And how many have been postponed due to the origination of this project?

In May 2021 the county commissioners adopted a revised septic ordinance that exceeded State standards. What effect has implementation of this ordinance had on the BCRSD's assumptions regarding the number of failing systems? What are the anticipated effects now that the State has required voiding of that ordinance?

Although there are wastewater treatment technologies approved for use in Indiana suitable for small properties, the PER additionally purports "Many properties in the study area are very small, and as a result upgrades to failing septic systems are infeasible due to lack of space." Businesses in the Bean Blossom area cited as examples by the PER to consequently utilize pump-and-haul include Bill Monroe Music Park and the Farm House Café. The music park/campground is located on 55 acres. The Farm House Café is located on 5 acres with an adjoining additional 5 acres. What percentage of properties within the eastern corridor of the proposed phase-1 project area are also clearly adequate size to ensure a privately-funded properly functioning waste disposal system?

Another premise within the PER is that the soils within the study area are poorly suited for septic systems, and yet the State of Indiana requires the testing of soils relative to identified acceptable criteria before a septic permit is issued. What percentage of septic permit requests in the county have been denied due to soil issues? Are there not wastewater treatment technologies that are approved for use in Indiana suitable for our soils? Is it the position of the PER, and the BCRSD, that the State of Indiana is not competent to make determinations relative to suitability of soils, that the State's septic permit process is grossly flawed, and consequently septic permits throughout the State have consistently been issued erroneously? And, if indeed the State is routinely endangering the public, then is not the BCRSD obligated to actively pursue the issue with federal authorities?

The PER also purports "There is a large amount of community support..." for the project and references Appendix B containing "...letter requests written by residents to provide sewer service in the Lake Lemon, Beanblossom, and Woodland Lake areas." However all letters/forms contained in Appendix B pertain to sewer service in the Lake Lemon area. Why are there no requests for sewer service included in Appendix B from the Bean Blossom or Woodland Lake areas? Following a public BCRSD meeting on June 19, 2018, regarding the proposed Bean Blossom sewer project, the Brown County Democrat newspaper reported that of those in attendance "...most voiced their objections to the project". Are the residents of Bean Blossom still generally in opposition to the proposal? Why did Mr. Hanlon deflect/negate a request for polling of resident support for the proposed project? And why did Mr. Studabaker state there would be no polling of residents? Why did the BCRSD board dismiss citizens' requests for a public meeting to discuss the Strategic Wastewater Plan? Why, if there is a large amount of community support for the project, has the BCRSD felt compelled to declare that sewer hook-up will be mandatory? The county's other sewer districts have no need for forced, compulsory, hook-up. Why did the BCRSD board feel compelled to approve the production of "YES! Sewer Project" signs? How is this use of funds, provided by the county/tax-payer, considered an essential, ethical, expenditure?

The PER claims "The proposed project will be built mostly within public rights-of-way or within easements, which is previously disturbed land" and "...will be implemented to minimize impacts to non-endangered

species and their habitats." It also states that "The project will be implemented to minimize impacts to trees and other existing vegetation" and that "No construction or demolition will be conducted in wooded areas." However, per the PER, the study area, approximately 72 square miles, "consists mainly of wooded...terrain". How then is it possible for there to be no construction or demolition in wooded areas, and for impacts to trees, existing vegetation, non-endangered species and their habitats to be minimized? What are the "Mitigation measures cited in comment letters from the Indiana Department of Natural Resources and the U.S. Fish and Wildlife Service" referenced by the PER to be implemented?

While the PER's proposed utilization of public rights-of-way is an innovative mechanism by which to circumvent the need to obtain easements from residents opposed to the proposed project, the width of many public rights-of-way (i.e., roadways) within the eastern corridor of the proposed phase-1 project area are far more narrow than the 25 foot width access implied by the PER to be required for pipe placement. This is particularly true for Woodland Lake, and especially the dams. Additionally, mail boxes are located within about 6 inches from the road edge, and many roadways are heavily tree-lined with adjacent ditching and/or drop-offs, which would preclude ready expansion to required width access. What contingencies will be utilized when the required 25 foot width access is not readily obtainable?

The map of sewer line placement for Woodland Lake indicates pipe is to be laid within both the south (main) and north dams, which is likely to significantly jeopardize their integrity, potentially resulting in their failure. Has an engineer with expertise in earth dams, as well as DNR, been consulted regarding the proposed project, and approved the pipe placement? Will the BCRSD board (and the SRF) be liable for all property damage, injury, and loss of life resulting from the dams' subsequent failure? What will be the cost to the taxpayer, the individual property owners, the environment, if/when these dams fail?

The map also indicates pipe placement at Woodland Lake where there are underground electric and fiber lines as well as essential culverts. On my personal property it appears pipe is to be placed below a mostly tree lined road with a width of approximately 9 feet (where water, electric, and fiber lines reside) and adjacent inclines or drop-offs on both edges, beside a hydrant, through a shed, in a pond, through a densely wooded previously undisturbed area, and along (or in) a fence line. How is this to be considered minimizing impact?

For water main protection, the PER states there will be a "...Minimum 10' horizontal separation and 18" vertical separation or water quality pipe if separation cannot be achieved." How will this be accomplished when Brown County Water has repeatedly affirmed they are generally unable to determine where their water lines lay? How will the cost for repair of damaged water lines, and resulting personal property damage, be funded?

BCRSD goals, as stated in the Strategic Wastewater Plan, include "Keep the cost of construction, operation, and maintenance of wastewater systems as low as possible". Per appendix J, the projections of a flat rate monthly bill for sewer service range from \$ 404.00 to an unlikely \$ 61.50, and per the BCRSD during system construction, while no sewer service is provided, property owners will be charged half of the monthly bill for an unspecified period of time. In addition, estimates provided by the BCRSD in 2018 totaled \$1,200 to \$1,500 for one-time fees to pump and fill in current septic systems, run a line from the house to the new sewer tank, and install an electrical panel for the pump. What will be the additional costs to the property owners for maintenance of other required appurtenances/installations? How are the combined costs to be considered reasonable and affordable

in a community where, per most recent census data, the per capita income is \$35,810, with 10.8% of the population in poverty? Average installation costs for a new septic system is typically around \$20,000, and the cost to routinely maintain a septic system is generally less than \$100 annually. Monthly sewer bills at a flat rate of \$100, in addition to the initial costs and maintenance requirements, would equate to a brand new septic system in less than 16 years. How is this consistent with “keeping the cost...as low as possible”?

The \$11,110,000 projected project cost stated in the PER for the eastern corridor of the proposed phase-1 project equates to more than the expense to install two (2) brand new septic systems for each of the 276 estimated dwelling units to be served by the proposed project, and this projected project cost does not include the entirety of the PER’s suggested priority area for the corridor in that areas such as Freeman Ridge as well as a portion of Woodland Lake have been omitted from the calculation (although Old Settler’s Road where the BCRSD president has rental property, and the undeveloped property owned by the family of a voted-out commissioner, is included). If failing septic systems, and their potential effect on the watershed, are truly the BCRSD’s primary concern, would it not be most in accord with the Strategic Wastewater Plan to prioritize based on greatest environmental impact and lowest estimated cost, implement the recommended “on-going actions”, and simply replace those septic systems which are no longer functional, utilizing “...alternative on-site septic system options for cases in which conventional on-site systems are not effective”? Would not utilization of the funds to replace failing septic systems not only be in accord with the BCRSD’s goal to “Keep the cost of construction, operation, and maintenance of wastewater systems as low as possible”, and remedy the BCRSD’s purported concerns relative to E.coli in the watershed, but also resolve the Brown County Health Department’s claims of insufficient data regarding previous septic system installations and number of inadequately functioning systems? And, if the real (but intentionally omitted from the PER) objective of the BCRSD’s sewer project is to promote business and housing development in the Bean Blossom corridor, an objective most of the residents oppose, instead of their apparent “Music Man” approach for their personal objectives the BCRSD board ought to prioritize the objectives of the residents they’ve been appointed to serve, which surely aren’t sewer access, urban conveniences, an abundance of commercial establishments, blocks of low-income rental units, transient neighbors, and high population density. In “The Music Man” a grifter/con man, pretending to be an experienced professional from Gary Indiana, moves to River City Iowa and attempts, with the assistance of public officials, to convince the rural town they have a problem, that he manufactured, and which he will fix for them, for a price. What percentage of the BCRSD board, and their associated property owners within the eastern corridor of the proposed phase-1 project area, are planning to “cash-in” with tax-payer funded sewers? Why would Mr. Studabaker, with a former career in wastewater management, choose to “retire” to Brown County and purchase a home with a septic system when he purports that septic systems cannot be viable here and are resulting in overwhelming wastewater-related health issues?

Not included in the \$39,000,000 projected phase-1 project cost is land and right-of-way acquisition for the project. The PER claims the “project owner” will be bound to “...negotiate in good faith regarding all land acquisition”. This includes being legally bound for decimation of property due to tree clearings, resulting destruction or damage of private ponds and dams, damage to fences, loss of basic utilities when underground water/electric/internet fiber service lines are damaged, and loss of mail service, reconstruction of destroyed roadways and culverts, and adjacent privately owned land damaged by construction equipment, landscaping destroyed by destruction of septic fields and laying of piping/equipment necessary

for hook-up, as well as restitution for lost wages when construction activities prohibit residents' employment? How are these costs to be funded? Is the BCRSD planning to provide "free" hook-up in exchange for easements and recouping that expense via the monthly pre-service charges, thus ensuring property owners pay for the privilege to provide the BCRSD with their land? What controls will be implemented to assure that some are not awarded excessive pay-outs for easements? What is the real projected total cost to the tax base of the entire proposed project including the personal financial cost to individual property owners? In the billions? And per-capita? And the cost to the chosen life-style of the people who reside here?

The proposed project schedule, per the PER, states construction is to commence on 4/1/24 and is to proceed through 10/31/24. Brown County's primary industry, tourism, is dependent upon visitors' ability to access and readily navigate through the area during these months. The solar eclipse, to transpire on 4/8/24, and for which preparations have long ago been initiated, is expected to bring "thousands of visitors" to the county. However, the proposed project is purportedly to transpire primarily on essential roadways. What is the anticipated economic and logistic impact of the proposed project's construction dates on the county's eclipse events? And on the county's tourism industry?

What is the anticipated time frame from the pumping and filling in of current functional septic systems until the proposed sewer system is operational, and what measures will be in-place to ensure safe household waste disposal in the interim? And after installation when design-flaw glitches transpire?

Power outages are a common occurrence within the proposed project area, oftentimes for an extended period. How will loss of electric service affect the functionality of the proposed sewer system? What safeguards will be in place to protect homes, land, and water bodies from back flow and other ramifications of excessive sewage build-up in the pipes?

The PER states the estimate of expected flows relied solely on house count data within the service area. Of the 276 estimated dwelling units to be served by the eastern corridor of the proposed phase-1 project, how many are non-residents with non-routine, infrequent, septic system use? During the recent weekend of June 2<sup>nd</sup>, some estimated the population of Bean Blossom temporarily increased by thousands. What measures are incorporated into the proposed project to address significant changes in the flow that will transpire with large fluctuations in population secondary to seasons and periodic major events in the community?

The PER maps of sewer line placement indicate it is to be placed in some areas/roadways known to be flood-prone during rains. How will periodic flooding affect the functionality of the proposed sewer system?

Finally, most importantly, and most-telling, why is it that the Strategic Wastewater Plan's roster of key stakeholders lists the BCRSD first, and citizens/homeowners/the community last?

Thanking you in advance for your response,

Lynda Sandow  
1949 East South Shore Drive  
Morgantown, IN 46160



## Comments and Questions following the Public Hearing on July 8, 2023

Tim J. Clark

July 14, 2023

The purpose of the Public Hearing on July 8, 2023, was for the Helmsburg Regional Sewer District (HRSD) and Brown County Regional Sewer District (BCRSD) boards to present their Preliminary Engineers' Reports (PERs) to the public. Citizens were provided with "two minutes" to express comments and ask questions. Citizens were also informed they can submit written comments and questions through July 14, 2023, and they would receive a reply to their input. My additional comments and questions are included in Enclosures 1 and 2.

**I support the Phase 1 project in the Western Corridor – Helmsburg to Lake Lemon.** There is a valid need and overwhelming community support. This should be designated as the highest priority for funding and construction. Consideration should also be given to expanding the HRSD boundaries and expanding its board to include a representative from Lake Lemon and Bean Blossom, respectively.

**I do not support the Phase 1 project in the Easter Corridor – Helmsburg to Bean Blossom to Woodland Lake.** Despite a 20+ year endeavor to acquire sewer service in the Bean Blossom area, there is no direct evidence of failing or inadequate septic systems to the extent that would justify the scope and cost of the project in this corridor. The scientific method was not applied or referenced with sources to support studies to validate the theory that "*76% (2,200) systems need repairs or replacement.*" Consideration should be given to an independent and objective assessment of the future role of the BCRSD.

Enclosure 1 provided background information and context on the Phase 1 projects. This includes the responsibility of citizens to ensure the review of appropriate state and federal officials in ensuring the efficient and effective use of taxpayer dollars. Enclosure 2 provides my questions.

Please let me know if there are any questions or if additional information is needed,

Tim J. Clark.

Brown County IN

Enclosures

## Enclosure 1

### Project Background and Summary

I attended the Public Hearing on July 8, 2023. I have been following septic and sewer-related projects in the county since 2016. I have routinely attended Helmsburg RSD board meetings, the Joint meeting of the HRSD and BCRSD boards, and regularly attend the BCRSD board meetings. This has resulted in meeting many of the individuals that are and were involved in the various efforts to expand sewers over the past 20-25 years.

I have shared what I learned in articles in the Democrat, and on social media through the Facebook group Brown County Matters. I also use a website – Independent Voters of Brown County IN that includes more in-depth information including timelines, articles, assessments, notes from meetings, and documentation. Social media supports transparency and allows for any counterarguments.

### Transparency, Communication, Oversight

*This Hearing on July 8, 2023, was the first public meeting* where citizens were briefed on the scope, justification, and cost of the projects. The presentations were limited to just “Phase 1” of the overall strategy for the county. The downsizing of the local paper resulted in little to no recent coverage of Phase 1 and possible follow-on projects.

The BCRSD Preliminary Engineer Reports (PER) includes information primarily derived from a taxpayer-funded county-wide Wastewater Strategic Plan (WWSP) and Watershed Study (WSS).<sup>1</sup> The plan and study provide the basic premise for the justification of need. The cost of the WWSP and WSS study was financed with a state grant-funded project of \$118,000. It required a 10-percent match of \$11,800 which was provided by county taxpayers.

The BCRSD board *refused to present* their County Wastewater Strategic Plan and Watershed Study at a public meeting. Last fall (post-COVID), the BCRSD was planning to present the strategy at several locations throughout the county. When questioned why this option was abandoned. BCRSD Board members decided that the video presentations available on their website would be sufficient. And, if citizens had any questions, they could send an email.

Public meetings and discussion and resolution of issues and concerns could have resulted in improvements in the plan as well as gaining community support. Public meetings may have also prevented future pushback from residents on many fronts.

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<sup>1</sup> BCRSD Strategic Plan <https://browncountyregionalsewerdistrict.wordpress.com/strategic-plan/>

In contrast, plans and strategies that affect everyone in the county, by statute, are represented in the County Comprehensive Plan. Development of this plan did require numerous public meetings and citizen input as to what they want and do want in terms of development, infrastructure, and values. A public hearing is also required before the plan was approved by the commissioners. BCRSDs' Wastewater Strategy *is not* in alignment with the intent of the County's Comprehensive Plan.

The BCRSD board includes individuals that were appointed by the commissioners or council. However, the oversight of this board is the responsibility of the Indiana Department of Environmental Management (IDEM).<sup>2</sup> The federal equivalent is the Environmental Protection Agency (EPA).

### **A Brief History – BCRSD**

The BCRSD evolved from a local citizens group in Bean Blossom started by a realtor that supported development and sewer service for businesses. This evolved into the Bean Blossom RSD which was later transitioned into the BCRSD. The BCRSD inherited a belief that sewer service in Bean Blossom should be the top priority in the county.

The prior two BCRSD Presidents stated that there was no documented evidence of failing septic systems in the area which could be used to justify a “need” as opposed to a “want.”<sup>3</sup> They both resigned before their terms of appointment expired. The current president is the longest-serving member of the board and has acknowledged and reinforced his commercial interests in acquiring sewer service for the Bean Blossom area. Supporting this strategy required that the area to be served be expanded. It also required developing a strategy to justify the need as opposed to a want.

The BCRSD submitted a PER in June of 2018 (with letters of support from 1998) for building a new sewer plant in Bean Blossom. To their credit during this phase, the BCRSD, with state funding, contracted for a Regionalization Assistant Planning (RAP) grant. The study was published in March 2020 to provide an assessment of wastewater treatment options for the area.<sup>4</sup>

The author of the RAP study, Ethel Morgan reinforced that the purpose of the study was to provide findings and “not” recommendations. Ms. Morgan stated that a *one-plant solution* for the area was not the best option.

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<sup>2</sup> Regional Water Sewer and Solid Waste Districts, <https://www.in.gov/idem/cleanwater/information-about/regional-water-sewer-and-solid-waste-districts/> Internet accessed 14 July 2014.

<sup>3</sup> Brown County Democrat - [Sewer project spending, ‘proof of need’ reviewed](#). By Sara Clifford, January 24, 2019, and [Resigning sewer board volunteers claim project obstruction](#). Sara Clifford – May 9, 2017

<sup>4</sup> RAP Study, Ethel Morgan. <https://independentvotersofbrowncountyin.com/2019/08/14/rap-grant-home/> Internet accessed July 14, 2023

My April 3, 2020 guest column in the Democrat suggested delaying the project, gathering citizen input regarding new strategies, and aligning with the County Comprehensive Plan.<sup>5</sup> “*Bean Blossom sewer plant: Delay warranted*” by Tim Clark<sup>6</sup>

The BCRSD then concluded that building a new plant in Bean Blossom would remain the highest priority for the county. The needed repairs and upgrades for the Helmsburg plant including expanding service to Lake Lemon were to be delayed.

When property owners refused to sell land to the BCRSD for a new plant, the BCRSD attempted to use land deeded to Parks and Recreation. This option was refused by the Department of Natural Resources DNR (March 2020). This option (new plant) was then abandoned after spending \$200,000 of county taxpayer dollars.

The BCRSD then contracted for a county wastewater strategic plan and watershed study (completed in 2022) which resulted in the conclusion that despite the suggestion in the RAP study, **a one-size fits all** strategy for Phase 1 would now be an accepted option. The Watershed Study led to the speculation that “76% (2,200) systems need repairs or replacement.” (Ref BCRSD Strategy, video presentations)

Brown County has one one-party monopoly on political power. The local party is led by individuals that have publicly acknowledged at county meetings their interest in development and development-related projects. Many candidates and appointees to offices are accommodating of this priority. A monopoly also represents a closed system. In other words, input and feedback that contradicts the prevailing narratives can be ignored without consequences in elections and appointments to county boards and commissioners. This situation results in policies and projects where the few can dictate the policy for the many.

Regarding the BCRSD’s decision *not* to present their WWSP at a public meeting, the county commissioners and council that appointed members to the BCRSD board did not challenge the decision.

Given this situation, it becomes manifest that the PERs and supporting documents be reviewed by subject matter experts at the state and federal levels that can provide an independent and objective and objective assessment on behalf of all citizens of Brown County. State and federal statutes and policies do require the application of internal controls to prevent the potential for waste, fraud, and abuse of taxpayer dollars.

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<sup>5</sup> Brown County Comprehensive Plan, [/https://www.browncounty-in.gov/DocumentCenter/View/141/Brown-County-Comprehensive-Plan-PDF](https://www.browncounty-in.gov/DocumentCenter/View/141/Brown-County-Comprehensive-Plan-PDF) Internet accessed 14 July 2023.

<sup>6</sup> Brown County Democrat, “*Bean Blossom sewer plant: Delay warranted*” by Tim Clark  
<https://bcdemocrat.com/2020/04/03/guest-opinion-bean-blossom-sewer-plant-delay-warranted/> Internet accessed 14 July 2023 and Brown County Democrat on Feb. 25, 2020: “The Bean Blossom-Helmsburg sewer regionalization report is out. Here’s what it said.” <https://bcdemocrat.com/2020/02/27/the-bean-blossom-helmsburg-sewer-/>

## What is next? Citizenship and Due Diligence

The PERs presented on behalf of the HRSD and BCRSD by their respective boards and contract engineering firms represent the largest and most expensive project in Brown County history.

As U.S. citizens, We the People are “top management” We are responsible for being informed voters and holding our elected and appointed officials accountable for the efficient and effective use of tax dollars. Citizens also serve in the role of Jurists that should assess both sides of the argument and supporting analysis before making or supporting a decision. The public hearing represented *a one-sided closing argument*. It is the only time a public meeting was held to explain the scope and impact of the projects for “Phase 1.”

In this case, citizens were limited to two (2) minutes for comments and offered the opportunity to send comments and questions via email. The HRSD and BCRSD will process the emails and provide a response. Citizens have been informed that any revisions to the PER and citizen comments/responses will be forwarded to the funding approval authorities at the State Revolving Fund (SRF). The USDA – Rural Development is also a funding source. This information is also available to the public.

In addition to serving as Jurists, citizens also have the responsibility to Appeal (challenge) any approval decisions to the appropriate state and federal agencies including expecting the involvement of elected representatives, respectively.

The overall process should result in assurance to taxpayers that the project was thoroughly vetted. Reviews could lead to identifying strengths and weaknesses and needed improvement in the existing project review and funding approval processes. Outcomes might also include new federal and state precedents for justifying the need for major wastewater projects.

## Enclosure 2 – Questions

The BCRSD Preliminary Engineering Report (pg. 1), states that “The Report follows the Brown County Regional Sewer District Strategic Wastewater Plan (WWSP) dated April 2022.” The Watershed Study (WSS) is included in the Appendix.

My comment and question primarily relate to the strategy and plan that support the basis for the BCRSD PER. Ref: BCRSD Website: <https://browncountyregionalsewerdistrict.wordpress.com/>

## Documentation

**Comment.** There are no footnotes or endnotes to support the citations referenced in the reports. This information will help identify if the information cited includes judgments derived from peer-reviewed scientific studies. The Watershed Study identifies “some” of the Literature cited

(pg. 72) but does not include a link or footnote to the source document that would provide the supporting context and detail for the respective statement.

Ref: BCRSD Website, WWSP, WSS (Appendix), and video summaries of each.  
<https://browncountyregionalsewerdistrict.wordpress.com/strategic-plan/> (Internet accessed 11 July 2023).

**Question.** What/where are the references (sources/links) to the cited Literature and findings?

### Water Quality

**Comment:** WWSP, April 2022, Executive Summary pg. iv. “*Water quality sampling over the past 15 years reveals a problem with E. coli contamination in Brown County waterways. The primary source of E. coli has been found to be from humans. Failing septic systems are likely contributors to waterway contamination in the county.*”

**Question.** What are the specific references in the WSS study that support this statement? There were 22 total samples. Only five (5) samples tested high for human-caused E. coli (WSS, pg. 63), e.g., “*Based on the results of these five samples, source tracking suggests that the primary source of E. coli for these sites is human in origin (Figure 31 and Figure 30)*”, WSS pg. 63.

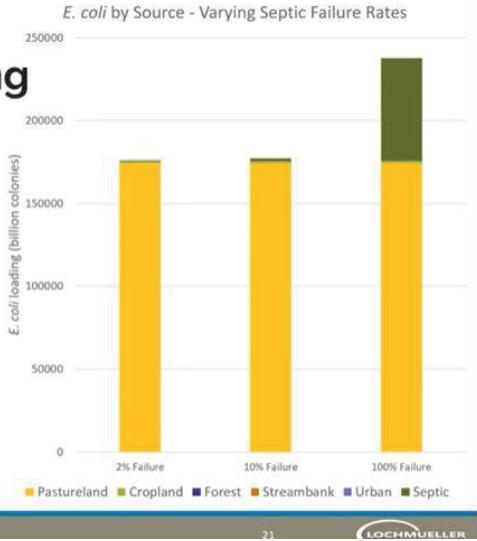
**Question.** How many septic systems may be contributing to E. coli? The Pareto Principle identifies that 80% of the problem could be due to 20% of the septic systems. Can confirming this estimate and identifying solutions for the 20% be more cost-effective than a “one-size-fits-all” solution?

**Question:** Could a lack of sourcing be considered a material weakness in internal controls and undermine the justification for funding? Anecdotal evidence is less convincing than facts.

**Comment:** WSS, pg. 70. “*Figure 33 details that pastureland loads more E. coli to Brown County Streams than other sources under all modified septic failure modeling scenarios. Only if 100% of documented septic systems are failing do they contribute a significant volume of E. coli to the entirety of Brown County.*” This information is also represented graphically (below) in the video presentation:

## E. coli Source Modeling

- 2% failure rate is standard
- Modeled 2%, 10% and 100% failure rates
- 76% estimated failure rate in Beanblossom Creek watershed



**Question:** How does this information support the statement cited above that “The primary source of E. coli has been found to be from humans”?

Note that BCRSD Board members in their opening comments at the Public Hearing reinforced this theme related to inadequate Soils (LeBlanc), environmental health (Studabaker), and impaired waterways, 62% suspected failures of systems and human-caused E. coli (Hanlon). Ref: See comments and questions – BCRSD Board Members – Public Hearing, Opening Comments.<sup>7</sup>

Comments from two board members (Hall, Studabaker) referenced their involvement in the development of a new septic ordinance for the county on 2021. The methodology for assessing the problem and justifying changes that exceeded state requirements was challenged by several citizens and one commissioner. The state legislature, effective July 1, 2023, has voided county ordinances (including Brown County) that include requirements that exceed state requirements. Any proposed new requirements are to be approved by a technical committee.

I summarized the process and needs for improvement in my article in the Brown County Democrat "Challenges and opportunities with new septic ordinance" May 27, 2021.<sup>8</sup>

<sup>7</sup> Audio or the meeting available at the following:

<https://independentvotersofbrowncountyin.com/2023/07/08/public-hearing-sewer-expansion-july-14-2023-deadline-for-comments/> Internet accessed July 14, 2023

<sup>8</sup> Brown County Democrat, May 27, 2021. "Challenges and opportunities with new septic ordinance" by Tim Clark <https://bcdemocrat.com/2021/05/27/guest-opinion-challenges-and-opportunities-with-new-septic-ordinance-2/> Internet accessed 14 July 2023.

**Comment.** On water quality, **this conclusion as to pastureland and cropland has been a consistent finding in water quality studies from throughout the State.**

- Lake Monroe Watershed – Link:  
<https://independentsvotersofbrowncountyin.com/2022/05/26/lake-monroe-watershed/>

E-coli levels in all the 2020 Lake Monroe samples were well below the state standard of 235 CFU/100 ml (CFU = colony forming units of bacteria). .... The South Fork (**Jackson County**) sub-watershed appears to be the largest contributor of E. coli.

- Indiana Water Quality Link:  
<https://independentsvotersofbrowncountyin.com/2022/03/31/indiana-water-quality/>

The major cause” of E-coli IS NOT due to the possibility of the failed septic system – it’s agricultural runoff from industries that are in compliance with federal and State laws and regulations. *“IDEM said combined sewer overflows, untreated stormwater and wastewater that discharges to nearby streams, rivers and other water bodies were the largest sources of E. coli bacteria, one of the impairments cited to the EPA. ”*

Mar 31, 2022. Indiana ranks highest in nation for miles of polluted waterways, report finds.

- “According to the report, a major contributor to water pollution is manure and fertilizer runoff from farms. This causes the concentration of E. coli and nutrients that promote bacterial growth in waterways. “
- “Watershed Coordinator Maggie Sullivan, who works at the nonprofit Friends of Lake Monroe, said Lake Monroe suffers from nutrient contamination. Lake Monroe also has streams that feed into the lake which have elevated levels of E. coli, but levels in the lake are well below state standards. **“Our biggest concern right now is harmful algal blooms,” Sullivan said.**

**Comment.** WSS pg. 18. Pharmaceutical and Personal Care Products (PPCP). “A variety of PPCPs have been identified in environmental locations ...” BCRSD Board member Matt Hanson referred to this issue in his opening comments at the Public Hearing.

Regarding the detection of pharmaceuticals in the water, this topic was covered in the Brown County Democrat – *STREAM SAMPLING: Where’s the contamination coming from?* By Sara Clifford – 1/28/20. The information included in the article states: *“The highest detections in surface waters are often associated with municipal wastewater treatment plant outfalls”* and “... IDEM said that there were no standards or benchmarks for pharmaceuticals in surface water, it’s difficult to say whether the levels of any of them were “good,” “bad” or otherwise.”

**Question.** Any clarifying comments by BCRSD board members on this issue?

**Question.** Are septic systems designed to filter our PPCPs? And since there appears to be no violation of state and federal standards, what is the relevance of this topic?

## Records and Useful Life of a Septic System

**Comment:** The WWSP video also identifies what is “estimated” to be an “average useful life” of a septic system along with the lack of records in the Health Department, to conclude the following:

- Estimated 8,000+ septic systems in the county.
- Nearly 3,0000 septic systems in Bean Blossom Creek Watershed:
  - 41% have no records on file.
  - 35% are near or past average design life.
  - An estimated 76% (2,200) of systems need repairs or replacement.

**Question.** Have there been any inspections or any documented evidence to support these assumptions?

The statement by BCRSD Board member Richard Hall that included the following comment: “*I feel there is a need*” reinforces the need for an independent and objective analysis as opposed to one based on emotion. A major change not only on the \$50.5+ million project costs but additional monthly costs to customers that may have a functional system but cannot afford the cost related to sewer service. A statistically valid sample of Brown County residents identified that 53.1% are in the low to moderate income level.

The Indiana Dept of Health reportedly identified that “There are nearly **1 million septic systems** in Indiana” and estimated that **20% are inadequate or failing**. Ref: “*Property owners could supersede Indiana health officials over septic systems under House bill*” by Casey Smith, Capital Chronicle, Mar 29, 2023.

**Question:** What criteria does the State follow to derive the 20% estimate?

**Question:** Are there any scientific peer-reviewed studies that have identified that this rationale for arriving at the 76% estimate is credible? Does the rationale support over a \$50.5 million dollar investment?

**Comment.** The counter to anecdotal evidence as a basis for supporting decisions is the application of the **scientific method**. This method includes identifying operational definitions of key terms (such as failing and inadequate systems, useful life), statistical sampling plan, data collection, inspections, data analysis, and conclusions.

**Comment.** What challenges the 76% estimate is the information from Sweetwater Lake. (Ref: Watershed Study, pg. 26). “*There are 550 homes around Sweetwater Lake, which represent the largest concentration of residential septic systems in the watershed .... Failures*” were identified as being caused by “*abuse, lack of maintenance, or grandfathered installations.*” *No evidence of any “significant threats to water quality resulting from septic systems.”*

- Note that “potential” for problems were identified but nothing to indicate existing septic management practices would not continue to be effective.

**Question:** Of the 550 homes, what would the BCRSD estimate to be the failure rate given “available records” and “useful life”? Results from such a review may support or repudiate the methodology that is being used to justify the need in Bean Blossom.

**Comment. Commercial systems and Records?** In Table 3 *Service and Study Area Flow Estimates*, page 8 of the PER, there are 612 Residential Units identified. There were 927 commercial units identified. (Ref BCRSD PER pg. 8).

**Question:** What is the status of the “Records” for the commercial units? How many of these units have evidence of septic system failures?

**Question:** If there are septic system failures, how many have no recourse except for Pump and Haul

Note: the owners of a local restaurant in Bean Blossom do have a failed system and had to resort to Pump and Haul. For the previous owner, the State approved the installation of a Presby that failed. This was a known condition prior to the sale to the new owners. Presby (see following comments regarding Presby systems) guarantees their systems if properly installed and maintained.

**Comment.** To attempt to justify a solution for the Eastern Corridor (Bean Blossom) a problem had to be identified. The BCRSD created a justification for the need based on estimates of failing septic systems due to the projected age of systems, lack of records, and water samples.

### **Questions:**

- Regarding record keeping, when (in what year) did the State require that the county maintain records? What records were needed to be kept?
- When and how did the county enforce the guidance? In what year? Is/was there an ordinance?
- How long did it take to implement the standard?
- How was/is compliance with the standard enforced?
- Commercial systems require approval by the State. What is the accuracy of the State’s records?

### **Useful Life of a Septic System – 20-25 years to Indefinite**

**Comment.** The useful life of a septic system. Useful life reportedly ranges from 20-25 years to Indefinite. In a letter to prospective customers, the BCRSD referenced a report from Purdue that identified a justification of *need* based on the “age” of a system and using an “opinion” by

Purdue Extension Service that “**suggests “an” average” lifespan of a maintained system is 25 years.** (Ref. “Technical sources including Purdue University Extension suggests 25 years as the average lifespan for a well-maintained septic system.”

Per the Environmental Protection Agency (EPA) Fact Sheet EPA 932-F-99-075, Decentralized Systems Technology Septic Tank - Soil Absorption Systems, “*Conventional septic systems are designed to operate indefinitely if properly maintained.*”

The information further states: “**However, because most household systems are not well-maintained, the functioning life of septic systems is typically 20 years or less. In contemporary practice, it is commonly required that a second area of suitable soil be reserved at the site as a “repair area” in the event that the initial system fails to operate properly or to allow for the possibility of a future home addition project.**”<sup>9</sup>

The importance of residents having sufficient land for a replacement septic system is or can be reinforced when a septic permit is issued for a new or repaired system and reinforced in zoning guidance.

Presby septic systems are promoted by the County Health Department and are a common choice for new systems or systems needing replacement. **Presby systems have been identified as having an indefinite life.** With existing homes, the State and county accommodate flexibility to include the potential use of an existing septic field for homes with limited land/soil options. Presly’s do not require as deep a trench and may not interfere with existing lines in an existing field. (Ref: Discussion with an experienced engineer and septic system installer).

- **Presby Systems** identify that their septic systems “*treat wastewater before it is released into the ground and claim their “technology removes up to 98% of wastewater contaminants, recycling clean water into the environment and recharging natural water supplies.*”
- Per Presby’s website: “How long does Enviro-Septic® Technology last? “*If the system is designed, installed, and maintained properly, there is no limit to the life expectancy of Enviro-Septic® Technology. In the event that the System malfunctions due to abuse, AES or Enviro-Septic® may be rejuvenated in as little as 72 hours, eliminating the need for a replacement.*”<sup>10</sup>

**Question.** The State of Indiana has acknowledged that septic systems are a proven technology and most likely will always need to be an option in Brown County. Why is the fact that septic systems can have an indefinite life not recognized and referenced in the WWSP.

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<sup>9</sup> Hoover, 1999.” Ref EPA 932-F-99-075, <https://www.epa.gov/sites/default/files/2015-06/documents/septage.pdf> (Internet accessed 11 July 2023).

<sup>10</sup> Presby, FAQ, <https://www.infiltratorwater.com/products/presby-environmental/enviro-septic/> Internet accessed 11 July 2023.

**Question.** Why does the WWSP ignore this technology as part of the solution?

**Question.** What is the education and communication strategy and related actions taken by the BCRSD and County Health Department to routinely raise awareness regarding septic system records, testing, and maintenance? Are realtors aware of what septic system information would be useful in the buying/selling of a home? Can information be routinely included in mailings such as property assessments and bills?

**Comments:** A non-statistically valid survey with 113 responses was referenced as supporting the need for repairs/replacements of the existing septic system. Ref: (WWSP, pg. 2-6)

**Question:** Any follow-up? How many needed actions identified by survey respondents may have already been completed?

Pump and Haul is another approved option in some circumstances. This option allows citizens to live in their homes and if money is an issue, apply for grants or other sources of financial support. Bill Monroe Music Park and Campground in Bean Blossom is and has been on pump a haul which is an option approved by the State.

### Soils

On the topic regarding soils are not suitable for septic systems in Brown County, this is a misleading premise that is not supported by State policy.

**Comment.** The reference (no footnote) to Purdue's' and USDAs assessment on "soils" is repeated in the PER (pg.6) which also includes the following: "*United States Department of Agriculture (USDA) also classifies soils in Brown County as "Severe" in terms of septic system unsuitability. Despite these limitations, of the 8,400 households in Brown County, nearly 7,700 is still served by on-site septic systems.*"

*"According to Purdue University's Census of Wastewater Disposal by Indiana County, all Brown County soils are severely limited for septic system use. Soils data compiled by NRCS support these findings indicating that more than 99% of soils in Brown County are severely limited for on-site septic use (Figure 19)." (Ref Section 4.2.2., pg.40). NRCS – Natural Resource Conversation Service/USDA.*

The water study also identifies that county soils are "*very limited in their ability to drain and treat the wastewater produced by a septic system.*

The State of Indiana, not USDA or Purdue, determines the suitability of soils. Indiana requires the testing of soils and has identified the acceptable criteria before a septic permit is issued.

**Question:** Can the BCRSD identify (now or at a future date) a higher standard for approving septic permits than what is allowed by the State and county?

Note: Regarding the age of a system, an assumption can also include that individuals installed a septic system using the prevalent technology at the time and repaired/replaced their system as needed without the knowledge of the health department and/or records were not effectively managed by the Health Department.