

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
JUNE 27, 2022 – 7:00 P.M.
Commissioners Courtroom
Hamilton County Government and Judicial Center
One Hamilton County Square
Noblesville, Indiana

**PUBLIC HEARING
HAMILTON COUNTY REGIONAL UTILITY DISTRICT**

Vice President Altman called the meeting to order at 7:00 p.m. declaring a quorum present of Commissioner Christine Altman and Commissioner Mark Heirbrandt. Commissioner Steven C. Dillinger was absent.

Altman stated we are here tonight for public comment on the proposed regional sewer district in the Bakers Corner area, so you can frame how the evening is going to go, we will have presentations from our engineers to explain the district. They will have a presentation from our financial consultant to talk about rates and then will have a time for those interested to make public comment for us to consider in the process. Since this is a very lively group, and thank you for attending, they would limit comments to two minutes per individual, if you would, and also do not be concerned if you feel you can't get all your thoughts out in two minutes because this is a fairly lengthy process. We will certainly consider any written questions or concerns that you have. Just feel free to forward them to this building, attention Dan Stevens, he is our Administrator, if you want to supplement comments. Also, IDEM (Indiana Department of Environmental Management) will also go through the process of public comments. This is not your first shot to share or ask questions. We want to limit some questions because some we just can't answer, and we will defer that to our engineers on what they know, and they don't know. This certainly will not be your first opportunity or last opportunity to make comment on how we can make this district better. Altman asked Mr. Heirbrandt if he had anything to say. Heirbrandt replied no, he is anxious to hear comments. Altman turned the meeting over to Mr. Martin "Marty" Wessler with Wessler Engineering, he is our consulting engineer on the project.

PROJECT DESCRIPTION

Wessler stated we are going to roll the presentation, we anticipate it will take 15 to 20 minutes to explain the documentation, the need, the creation of the district, what the process is for creating a regional water and sewer district, the boundaries but then also the phasing of the projects. Although the district is very large the initial projects are much smaller in size and will not be touching everyone's property within the district. With him tonight is Derek Urban the project engineer. He has been working on sewer collection system. We held our public information meeting in Sheridan a couple of weeks ago and he sees faces that were at that meeting. Tonight, might be a refresh of what they saw then. After Mr. Urban speaks, as Commissioner Altman said, we will talk a little about what the rates might be and then we will close it up and explain what IDEM will do after we go through with the petition.

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Urban presented a PowerPoint presentation of the project welcoming those attending to the public hearing for the Hamilton County Regional Utility District. As Marty said I am Derek Urban, and this is our team at Wessler. Everyone is here to be able to answer your questions tonight. We have Marty, who just spoke and then we have Bob Holden, and Oscar Gutierrez with Bondry Management Consultants who will be talking about the preliminary rate.

An overview of what we are going to be covering tonight; first of all, we are going to go through the need for the project, why is it happening. Then some of the steps that have been taken for the regional utility district formation and some of the steps that will be coming up after this public hearing. We will then talk about the proposed improvements that are proposed as part of the first couple of phases of the water and sewer improvements in the area then we will cover the preliminary rates and then there will be time for public comment.

Urban showed the map of the proposed regional utility district. The red boundary is the extent of it, this was also included in the mailing you received which is probably why a lot of you are here. On the north it is bounded by the Tipton County line. On the west it is bounded by Oakridge Road and Arthur Baker Road. On the south it is bounded by 216th Street and on the east it is bounded by Cal Carson Road north of 236th Street and south of 236th Street it is bounded by Cammack Road.

The need for the project – right now there is no water or sewer utility in the area. Every property owner has an individual well and septic system for their house or business and there has been some history of failing septic systems in the area. What can happen is when you flush the toilet the sewage goes to your septic tank, most of the solids collecting in the septic tank and the liquid that has not settled carries through and percolates to the ground into your drainage field. It then slowly makes it way through the ground and its filtered and eventually that water makes it way back to the water table. What can happen when a septic system fails you can get carryover of E-coli and also solids that end up making it into the water table and it can get into wells in the area and also get into surface water bodies. There has been some history of that, some pretty high E-coli levels in the water body caused by failing septic systems.

The final item, as many of you are aware that live out here, there has been a lot going on US 31. Right now they are building the 236th Street interchange and they will also be building an interchange at 276th Street and so the county sees the potential of some growth in the area due partially due to that.

To sum up, the need of the project there is a public health need, an environmental need because of septic systems do not last forever and there is also this growth that can be happening. Right now there is not wastewater or water utility service to foster that growth. This is proposed to solve those needs.

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In terms of the district formation some of the steps that have already been taken; Wessler Engineering put together a technical memorandum for the county to basically study the area, not only around the area of the interchanges of 236th Street and US 31 and 276th Street and US 31 and determine what water and wastewater infrastructure would be needed to serve that area. Also, a preliminary rate analysis was done based upon the cost developed in the technical memorandum. The Hamilton County Commissioners approved the petition to form a district.

Urban showed a more detailed timeline noting the items on the left having been completed. The orange is where we are right now, at the public hearing. The upcoming steps after the public hearing, as Commissioner Altman mentioned, there is a time for written comments as well. Written comments that are received will be filed with the petition that goes to IDEM. They will review that along with the petition. The county will file that petition to IDEM towards the end of July, approximately the 29th. Then IDEM will assign this case to a hearing officer and that person will schedule the public hearing for IDEM. This is your opportunity to bring up comments to the county, that will be your opportunity to express comments to IDEM. That will be held sometime in the 180 days after the petition is filed and they will also everyone that that is happening. They will review that petition and make a recommendation and then it would be anticipated that at the end of February that the IDEM Commissioner will order for the district formation. Those are the steps when the district is formed and then the county would file a detailed plan for the initial project that you would anticipate about a month after the order is issued by IDEM, about the end of March next year.

The initial service area shows Phases 1 and 2, the areas that were looked at in the technical memorandum. Phase 1 is the area around 236th Street and US 31, Phase 2 is extension up to 276th Street and US 31. The sanitary system will consist of gravity sewers and there are locations where we would have to pump the flow for a sewage pump station, we refer to as a lift station, and then the pipe that the lift station pumps through is a force main. Those are included as components of the project. Phase 1 would have two lift stations and their associated force mains. There would be a wastewater treatment plant that would have the capacity for 500,000 gallons per day, average daily flow.

For the drinking water system, the water is going to be supplied from Indiana American Water in Sheridan. The county will also, in the future, consider a potential additional water source development. There will be a booster station to boost the pressure into the district because there is a long way to go from Sheridan to the district and then there will be an elevated storage tank or a water tower.

The conceptual layout shows Phase 1 and locations where the work is proposed. Starting at the west side of the map there is a blue line along 236th Street, that is the transmission main from Sheridan, the water main. That will be provided by Indiana American. From that connection point on will be provided by the

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county. There is a booster station shown which is the red box. The purple lines are areas where there are gravity sewer and water main proposed. If you are along the line in purple you would have the opportunity to connect the services. The red lines are watermain only, that wouldn't be gravity sewer. The dotted lines are force main from the lift stations. If you are on a force main but not a gravity sewer you would not be able to connect.

In terms of costs the estimated project costs for Phase 1 including both construction and non-construction costs such as engineering and legal total estimated cost is \$43.1 million.

In terms of the schedule, we are currently at the public hearing point. People along the routes of Phase 1 could expect to see construction starting around the first of next year, January. Anticipated completion of Phase 1 would be December 2024.

Next exhibit adds Phase 2 with infrastructure around 236th Street still the same. There is an extension up US 31 to 276th Street. There would be a lift station at 276th Street, there is a new National Guard Armory that is going in up there and this lift station would be able to serve that and another lift station at an intermediate point and that would pump to a wastewater treatment plant. An unidentified member of the audience asked where the treatment plant would sit. Urban replied, the wastewater treatment plant is shown in orange boxes. A lot of these lines, for example running on the east side of US 31. Another unidentified audience member asked if there was a website where we could have access to these drawings? Wessler replied, this entire presentation will be posted on the county website tomorrow. Unidentified audience member asked for the whole proposal, can we get that posted also? Altman asked if we could get through the presentation without interruption so we can make this process go more smoothly and we will have time for questions and comments. Thank you.

Urban continued, basically we would have water extended up to 276th Street. That would be the basic project with future phases that would serve other areas of the district.

Urban talked about connections noting a lot of them may be wondering if they will be able to connect and probably some of them are wondering if they will be required to connect. If the gravity sewers and water mains are run next to your home or business you will have the opportunity to connect. We would ask that if you are interested in connecting if you could please let us know so we have a picture of who is wanting service. Even if the sewer and watermains are not proposed right next to your home or business right now but you would like service you will be able to connect. We want to hear from people who want to connect so we know where you are and even if there is not gravity water or sewer main proposed next to you right now we would still like to know that because the county would like to know that for areas where the service might be extended to in the future.

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Water connection will be voluntary. If there is a water main by your house and you want to stay on a well you will be able to do that. For sewer connection if you have a septic system and you do not want to connect, you will be able to file an exemption from the county health department and if they approve your septic system then you would be able to be exempt. The exemption would be for 10 years and then there would be an opportunity to file for two five-year extensions after that. That rule is relatively new, he has listed the Indiana Code in this presentation that will be on the website. Within the first six months of being able to connect if you connect to the system at that point the connection fees would be waived so you would not have to pay a connection fee. If you were to connect after those six months then there would be a connection fee. Probably the next question people are thinking about is “what would it cost?” For that Urban turned over the meeting to Oscar Gutierrez.

Gutierrez, municipal advisor for the county, stated what you are most wondering is what is this going to cost me, which is a great question. He began by saying that none of this would be possible if it wasn't due to federal money. This is a \$43 million project and out of that \$43 million, \$35 million of that is federal funding (\$25 million in ARPA money and an additional \$10 million from the State). That is paying for almost 77% of all the costs of construction. If individuals do choose to connect – for the water it will be based on 4,000 gallons of water use, obviously if you are less it would be less or if you use more it would be more. For 4,000 gallons of water, you are looking at roughly \$36.50 per month. These are rough estimates based on the preliminary construction. If the construction is less or operations are less we will know more as the developer who is putting this together lets us know what the operational costs are. As part of their analysis, they put in a lot of replacement costs which we know will not be as heavy because it is all new equipment. We are waiting for this to be built to be able to bring the costs down. The worst-case scenario is \$36.50 per month for water and \$60.55 for sewer. \$8 million of this is what the utility will be paying back, the other \$35 million will be in the form of federal funds.

Urban noted the newer code with the septic exemption is Indiana Code 13-26-5-2.5.

Urban summed up, what is the vision for the project. The vision is to protect the public health because we have potential for failing septic systems that can affect drinking water and wells with providing a wastewater treatment plant we can provide reliable service and protect the environment because of that. With providing drinking water service there will be reliable, safe, clean drinking water that would be disinfected. The infrastructure will be provided and foster growth in the area. That is the vision with Urban pointing out links in his presentation including the Indiana code which will all be part of the presentation that will be posted on the website.

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PUBLIC COMMENTS

Altman stated obviously there are some questions in the room, hopefully you will have more time to study the materials once we have it posted on the website but at this time it is your opportunity to make comments about the proposed regional utility district and again, you will have more opportunity to comment as we go through this process. It is a very public process and we do want to hear from you. We presume you live in the area; you work in the area; you have a strong interest. If you would try to limit your comments to two minutes. We would appreciate that you not repeat what your friends or neighbors have said because once it is made in comment form it will be recorded and submitted to IDEM as part of this process. Ultimately IDEM will go through the same process and be the decision maker as to the viability of the district. At this time if you would come forward if you have comments to make or you have brief questions and we will address them the best we can. Heirbrandt asked that we start by stating your name and address for the record.

Kimberly Chance, 3161 E. 246th Street

Chance stated she is seven-tenths of a mile from US 31 right in the proposed district. She has multiple, multiple questions and have asked her questions individually but for the purpose of this meeting and the information that was presented she has a couple of questions. The first is regarding the preliminary rate analysis; my question is how many homes that is based on, that cost, that \$30.51 and \$60.35, is that based on the current homes that are there or do you anticipate more homes coming in or building, that sort of thing. My next question would be who is appointed to the board of this district and do taxpayers have any way of holding these people accountable. Are they appointed, are they elected, who will be on that board in case they do things that we do not like living there. Finally, where would the wastewater treatment plant be located and also the location of the water tower. Those would be my initial questions and just a statement; for those of us that live in the area I understand that what is being pitched is there is great economic growth but that is not necessarily what we want. Personally, our family moved out to where we moved to not be in the midst of economic growth so trying to suggest that this is somehow helpful to homeowners that live in the area is disingenuous because nobody asked us and it does certainly help us in terms of the types of growth we would like to live next to. With that I will sit down.

Altman asked that those questions be addressed, it might be helpful to the extent that we can address those questions.

Gutierrez answered the question regarding the rate study. The rate study was based on full capacity, what it would take to fully function and at that full functionally it is roughly 1,100 homes is what we calculate. 1,100 homes is not what is there, currently inside the district there is roughly 48. It has full capacity, we are not calculating on what it would take to function for 48 homes, obviously it will be less

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people that have to work so we have to calculate the operations. If that is the capacity that is being built. Not what is there, he is not saying 1,100 homes are magically going to appear he is saying the capacity of the utility is for roughly that much and if it is fully functioning that is what it would have pay. What the county, per the direction of the Commissioners is, in order if we are only serving 48 homes with a utility the county is going to pay a subsidy to keep those rates locked. The rates you were quoted we put as a contingency, so we worked backwards. We take the money that the county is saying they would subsidize and then we get to that number. Again, we have to calculate what it would look like if it is fully functioning. You are not going to build something for 48 people, so you have to understand we have to calculate the totality of what's being built.

Altman stated this is a public comment when you approach the podium. Altman wants this group and would expect you would all want to be respectful of this process and please don't interrupt, don't make comments, you will have your opportunity to speak at the podium. Thank you.

Sullivan addressed the district board question – the district board initially will be the Hamilton County Commissioners. There are three qualifying requisites, you have to be an elected official that represents the area, or you need to own real property or be a rate payor. The commissioners believe this is a unique type of government and need to have someone who understands how government works in order to lead this during the initial couple of phases. It is also like Oscar said, it is significant portion of the county's ARPA funds too so it being county funds given to us by the federal government the commissioners believe it is best interest of the county taxpayers to have them the oversight. After the term it can be anywhere from 3 to 13 members on the board of trustees with alternating terms. At that point they would be appointed by the commissioners.

Wessler answered the third question, where will the wastewater plant and water tower be located. At this current time the State of Indiana has purchased a lot of land along US 31 for all of their improvements. In the northwest quadrant of 236th Street and US 31 there is spare land that INDOT (Indiana Department of Transportation) has purchased that they do not wish to own long term. The county and INDOT have been discussing the county acquiring that land from INDOT to place the wastewater treatment plant and potentially the water tower being located there also.

Scott Griffin, 2789 N. Anthony Road

Griffin stated number one, he looks around in here and you said pdf, some of these people are probably wondering what that is. They probably do not have cell phones to do that stuff so handouts would have been appropriate for them. You said environmental impact, so you tested for E-coli so that is the big thing you are pushing, E-coli. Have you tested human or animal because there are a lot of cows and everything else running through these farmlands that could produce it. Where are you getting your

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samples from and who is doing the sampling. Altman asked he continue with his questions and then we will answer. Griffin stated after 20 years we are forced to be on it, regardless of what anybody says. My other question is why are you so concerned about this one corridor right here. It has nothing to do with Westfield, correct? Nothing to do with Westfield whatsoever, annexing this way? That is another one that he has heard about. Me, I moved to the country, I don't want your water, I don't want your sewage. So you say there is a bunch of failings out there, show me the things where all these septic's have been failing, I need to see the reports on them. I need to see the reports on where you guys did your sampling and everything else to show about the E-coli that you have done and also need to know if it is animal or human. There is two differences there. If you are saying this is coming from the aquifer I need to know how you are getting your samples from there, what side you are getting it from. Seriously, I do not want your water or sewer, I live in the country. I live right behind where they are getting ready to put the armory, I already know about the armory, it has been going on for a little while and it is right behind my house, I know. It seems like are you guys going to take other parts of the county and start doing it because you are so concerned about the E-coli stuff in the ground so you going to start making other districts throughout the whole county for other people. No, you are just concerned about this one little area for some odd reason. I would like to know what that's about. There is more to than what you are letting on, I do know that. You have a reason for doing it just right here, there is more than that but he has not heard what it is for.

Wessler reported they relied upon information from the Hamilton County Health Department who conducted testing on septic systems in the Bakers Corner community in the early 2000's believe it was 2000 thru 2002. The E-coli samples came back as positive in the William Baker Drain. At that point in time the county health department worked with the homeowners in that area to make the best possible fix to the septic systems that they could. We have worked with the county health department who supports this project to put sewers in and potable water to support the septic systems that may need to be replaced and there some other septic systems in the southwest corner of 236th Street and US 31 who have requested service because they have septic tanks that are over 40-years old and need to be replaced. That is the information we have used for the Baker's Corner Phase 1 project was the information from the county health department. They have also requested the district be expanded to include Deming who potentially has septic issues. We do not have sampling results on that at this time and I am not aware of any sampling that has been done if it has been done or not. Based upon the request from the county health department we are including that area within the boundaries of the district. There is no project planned at this time for Deming however it is to be included in the district.

Griffin replied since 2002 nothing has been tested. Altman noted comments are to be made at the podium, I will not have a debate at this meeting, that is not the intent. It is to allow everyone who wants to make a comment to make a comment and to be fair to all we will stick to these rules.

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Sullivan answered the second question about after 20 years what happens; that 10-year period does not start until the sewer passes in front of your house. This has nothing to do with what Westfield is doing, whatever Westfield is doing is independent of the county's project and priorities. Again, this came to us through federal funds that were given to the county through the American Rescue Plan Act that has one of the permitted uses as water, sewer and drinking water. There is an environmental need for it, we have federal funds to do it and that is our priority and what started it sir. Was that your last question? Griffin replied he was told this was to keep Westfield from annexing, this is what I was told. Sullivan replied no, we are independent of what Westfield is doing with Altman adding it makes no difference to us. One other comment, I have had to sit in the seat on lots of difficult decisions and discussions; Bakers Corner was probably one of the worst meetings we have ever had as Commissioners with respect to direct actions that hurt homeowners. At that area the septic systems were very, very old, not constructed to current standards. In some instances, it was hooked directly into the regulated drain. There was no holding tank, no finger system and we had a choice of shutting those people because once we know it is connected to the regulated drain it is not habitable. Luckily, those homeowners on 236th Street were able to work with the farmer behind that, at great expense, to actually purchase land to put a finger system in. It was a hideous discussion we had to have because those homeowners were facing losing their entire home. I just want to put that into perspective. Who else would like to comment?

Dawn Glynnis, 26640 Anthony Road

Glynnis asked for the sewer, you said we could file an extension for 10 years and one for five and one for five; what happens after those three extension are expired? Altman replied as I understand it, the district can require you to connect to the system. Glynnis asked what would be the cost for that after it is in place? Altman replied it would be a connection fee and also running the line from your system to our system, if it is created. Glynnis asked what is the cost for that? Altman replied at this time you are looking 20 years down the road, and I would not speculate. I would look at the engineers to give you today's costs. Wessler replied we would estimate the connection fee that the homeowner would have to pay the district, at this time, would roughly be \$4,500. The homeowner would be required to intercept their home lateral between the house and the septic tank and pipe that to the property line and then abandon the septic tank. I can not quote what a plumber would charge for doing that on property. It could be a couple of hundred dollars, it could be a couple thousand depending on each individual circumstance. Glynnis has a geo-thermal system, and it has to loop around our yard, would that have an effect on either the water or sewer? Wessler replied quite possibly, yes. Glynnis asked if it would cause her to have a higher water bill because she uses water to cool and heat her home? Wessler replied no, if you were to split and use your well for geo-thermal; homeowners who connect to the water system are still allowed or still able to use their private well for irrigation, geo-thermal and everything else. It cannot be connected and cross piped with the drinking water supply from the county so that plumbing would have to be water purchased through the water meter but geo-thermal and irrigation can be off

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your well. Glynnis asked if that includes the farmers with animals and stuff like that; they can still use their well to water their animals? Wessler replied yes.

Gary Zieger, 4114 236th Street

Zieger stated you say the connection fee is free for six months, my house sits 350 foot off the street and another 100 foot to the back where everything is. Are you going to connect all that for free? Altman replied it is the connection fee, the first fee that Mr. Wessler fee talked about is a connection fee and that is what is paid into the utility to pay into the infrastructure costs. So the connection to your home is at the homeowners cost, is that correct Marty, to clarify and what is the state code distance? There is a distance that it is 300 feet from where the line is to your home. Zieger stated he is further than that. Altman stated if it extends past that it is her understanding you can not be required to connect as long as you have a solid septic system. Zieger replied that will work for me.

Dick Egler, 65 E. 276th Street

Egler stated he sees a lot of fellow property owners from this area, will this impact our property taxes in any way, that is my question for the Commissioners. Altman asked if that is his only question. Egler replied yes. Altman hates to say nothing will ever effect your taxes because breathing seems to, in terms of assessment directly impacting, no. However, in the event there is a subsidy to help this system grow which we anticipate will very well be the situation they would come out of general county taxes that are funded by the local income tax and property taxes. There would be no specified assessment against any one particular property within this district. To the extent there are fees associated or supplements, yes it would affect the monies we have in our coffers. But I don't anticipate given the size of the county collections that it would be a significant impact to anyone it would be shared county wide on those sources. Egler asked if there are impact fees for the developers that come in here, more than just a connection fee? Altman replied yes asking Marty to answer that. Wessler replied the developers would have to pay the connection capacity fee at roughly \$4,500 per home; the developers would be required to pay that as connection and capacity fee. They would be required to pay all connection fees with that. As far as impact fees, they are primarily dealing with the water and sewer, I do not know about impact fees for the county, I am not familiar with those. Altman asked Marty to clarify – we have talked about homes, in sewer language it is equivalent dwelling units, that is a house but if you are a business and use a lot of sewer service, say you are a meat processor or an office building with lots of water usage, your use is equivalent to how many houses. How many EDU's of sewer are you going to use so this gentleman would come in and pay for a house which we have estimated at less than \$5,000 but if I am a large office building I am a developer I will be paying more for the capacity in our sewage plant to make that development plan work. It is not a one size fit all, it is what you use and that is how basically the connection fees and the monthly rates are determined.

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Jeff Brown, 2270 E. 266th Street

Brown stated based on the construction that is going on there this is already an approved project and it is being built, correct? Altman replied no it is not. Brown stated all that construction is to move the dirt around? Sullivan replied that is INDOT doing their work, that is the state. A road project separate from our project. Sullivan confirmed with Marty that we have not even finished design. Wessler stated as Derek mentioned construction for the sewer and water would not begin until next year. Brown asked if 45 houses everyone declines, do you still build it to go out to the armory? Wessler replied that would be a question that the county, as the owner, would need to answer. Heirbrandt stated there is a lot of stipulations that go into that, the first phase as he explained, that goes into the Bakers Corner area we have put a hard stop right there. The only reason we would take that up even further is if got \$20 million from the state and they thought is was a good investment up there. There is a lot of contingencies that would go into whether it would even expand. We are not going to make a poor investment and take that up to if we do not have users. There is a lot of thought that has to go into that as to how we expand it. Altman stated that is why, quite honestly, is why we started in Bakers Corner because that is were the problem was and is. Brown asked if the people in Bakers Corner will have to connect because of failing septic tanks? Altman replied we do not know the condition; the people that bought the land and put in their finger system she knocks on wood that it is working well for them, and it is not a problem for them.

Heirbrandt wants to get this out here because there is a lot of speculation that county has money, we are going and why we are doing this. I can tell you that I have been in office now for nine years, I have talked to Sheridan, I have talked to Cicero, I have talked Indiana American Water, I have talked to Citizens about bringing clean water and sewer up to the Bakers Corner area because I see a tremendous need up in that area. Until the American Rescue Plan money came in we never really, the county did, of doing this. We got \$65 million. You think, wow we got \$65 million, well there is a lot of restrictions in terms of what you can do. You can only use it on water, wastewater, drainage, broadband or a loss you have had in revenue because of COVID, up to \$10 million. We do not have a wastewater treatment plant and we really do not want to get into the business to be honest, but this created an opportunity to be able to solve some problems over there in that area. If there was a need it could be expanded. People think we just came up with that but those restrictions, we have those restrictions on what we can use the money for. Brown replied ok.

Kimberly Chance, 3161 E. 246th Street

Chance is sorry but isn't it true that you already took bids from four different places to put this wastewater facility in and isn't it also true that you accepted a bid from Reynolds. Altman asked to let the attorney clarify with Chance replying that is fine, but she is trying to understand with Altman noting we are trying to tell you. Heirbrandt thinks she has misunderstood. Sullivan reported with Reynolds Construction we are went through the BOT (Build Operate Transfer) procurement process. This is a

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public-private partnership under Indiana Code 5-23. We sent out RFPQ's (Request for Proposals/Qualifications) nationwide to see what private entity would have interest in assisting us with this. Four entities did submit proposals for it. We had an independent scoring committee that did not have the commissioners on the scoring committee, review all four proposals and score them independently. Reynolds construction had the highest score amongst all of our scoring committee members. Us choosing them is just part of the process. It is called the scoping process. Right now our engineers and Reynolds Construction are going through the design process. We have not entered into any written agreement with Reynolds Construction, it is great to have engineers but we also need construction experts to weigh in on things to also tell you if you are going to do that it will cost this much or if you are going to do that it will likely take this much time or have you thought that you need this kind of material. It is a team that we have together right now that is going through that process. We are not even 60% of our way through design. There is a chance we get through it and it might not work. Altman added if we don't get permission it won't work. This is the process that you go through for public procurement and this particular process you go through that you accept bids you accept bids for your partner but until we execute a contract for the construction we are not obligated, nor can we be obligated because you have to go through certain processes in Indiana to provide sewer and water. It is regulated.

Chance replied that is my question, I am struggling to find and understand the benefit to the homeowners in the area other than those very few who back in 2002 and 2003 when you took the soil samples and they had an issue with septic which seems to be taken care of at least among those homeowners. I am struggling for the benefit for the rest of us that live in this district and along with that I appreciate your comment that the commissioners will be on that board but my understanding is that is an un-elected, appointed board that is a separate entity for you all. Once it is created it is its own political separate entity. Altman noted but is subject to appointments on a routine basis. Chance replied right, but it is not subject to the taxpayers. I don't get to appoint people or decide if those appointed people are good nor not or acceptable or not. As a taxpayer I don't have, I can't vote them out. Altman replied you certainly can vote for someone other than me who appoints them. Heirbrandt added and me as well with Altman stating that is the accountability. Chance asked if they could help her understand what the benefit is to the homeowners in the area other than, again these failing septic systems from 2002 and 2003 that seem to have been taken care of. Altman said thank you.

Unidentified audience member asked if they were going to answer her question? You are not going to answer her question? Altman stated like I said this is not a debate. We have gone through environmental concerns, I personally have experienced them with respect to my position on the board. We believe if we have solid sewer and water that property values will go up as a benefit and security for the homeowners there that if their septic system fails they have an alternative. To most of you in this room I presume that

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your home is your biggest investment you have made in your life and to an extent I believe, like me, it is a substantial part of your retirement. If you are a farmer your long-term benefit is probably growth and development because many of the farmers, as development has gone north, have seen huge increases in their farmland. It may not be for everyone but that alone in terms of your house security of being to be able to flush your toilets and live there is huge, at least from my experience from sitting in this seat. That is the best answer I think I can give you.

Melanie Dickerson, 2721 Arthur Baker Road

Dickerson asked if my septic or well fail will I be allowed to replace those or will I be required at that time to hook up to your sewer and water? My second question is will permits be approved if I would like to add onto my house or have a project that involves an additional bathroom. Will I be allowed to do that or will I be forced to hook up to your well and septic and also how does this effect new builds in the area, will they be required to hook up? Altman asked Marty to answer these questions. Wessler stated on the well and water that is strictly voluntary. You can not be forced to connect to the water, Dickerson asked even if her septic fails she can replace her septic system? Wessler replied your water well. Your septic tank the other part of the question, that would depend on the county health department. If there is a sewer in front of your property and you are within 300 feet I would suspect if your septic tank failed and you went to the county and applied to put a new one in they would say no, you would need to connect to the sewer. Dickerson asked about the new builds. Wessler replied if there is a sewer in front for a new build he would suspect, again, that the county would say you need to connect to the sewer instead of installing a new septic tank. It would most likely be less expensive but again he is not a plumber.

Dickerson asked her neighbors to raise their hands if you have septic that failed causing an E-coli outbreak? No hands were raised.

Steve Baitz, 29010 Albright Road

Baitz noted his home is outside the proposed area however his mother lives at 2809 E. 276th Street which is within that area. Baitz asked if the proposed lines will be run within right-of-way or are you going to take land in order to install these? Baitz appreciates the comment about raising the farmland values, that is fine if you are wanting to sell but if you are wanting to buy it is not. Altman confirmed that is a good point. Wessler stated in regard to the sewer and water, we are attempting to place it within the public right-of-way where possible. In some areas if the county were to proceed with Phase 2, extend water up to 276th Street, it is quite likely that the route they would go with water and sewer may require easements in which they would purchase easements, they would not be condemnation. They would approach landowners and would negotiate a purchase price to obtain an easement to run the water and sewer underground through their property.

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Cory Hayden, 2203 Hinkle Road

Hayden asked if you live more than 300 feet off the road do you still have to file for the exemption for your septic tank or I would not have to worry about it? Altman replied that is a good question, she does not know. Hayden asked if they decide to not hook up for any of it and if you still have a septic tank 300 feet off will there be a penalty fee involved for not doing it. Wessler asked to clarify what he means by penalty for not hooking up. Sullivan confirmed he is saying if you are within that 300 feet and you are required to hook up and you don't hook up, is that what you are saying? Hayden confirmed that was correct. Sullivan replied at that point we might have to look into it, potentially could be a health code violation depending on your septic, but we would have to look into it. Wessler confirmed that was right and if he is beyond the 300 feet they would have to look into it. Heirbrandt asked that they get an answer to these questions. Altman stated we will post it, I don't know why we wouldn't post it on the website, have not thought of that with Sullivan confirming we will put it on the website so everyone can see it.

Blair Fry, 27810 N. Anthony Road

Fry thanked everyone for this time to be here, he knows it is a thankless job. A couple of questions, you have mentioned the information will be posted on some website, if you can give us to the best of your ability the address tonight so we can write it down, that would be helpful. Altman replied it is www.hamiltoncounty.in.gov. Fry asked if this will be on the home page with Altman replying we will figure out a good link. If you can not find it, again if you would, call the commissioners office and tell us you are having problems, so we fix it. Fry asked who do we contact with further questions beyond tonight? Altman asked they be funneled through the county administrator with Altman asking if CJ Taylor would be able to handle the questions? Mr. Taylor replied most likely not, that will probably have to be Marty. Altman confirmed she understands that, but could he be a point of contact? Taylor replied sure. Sullivan believes the website has the contact information and we could possibly create an email address specifically for this project. Sullivan is not a technology person but is sure it is easy to create that. Wessler clarified, the public notice that everyone received has the point of contact for written comments or questions as Mr. Dan Stevens, Administrator.

Fry asked, the number 48 homes is that just Phase 1 because when the map was put up in his head he was thinking the entire district and that is why everyone laughed. Gutierrez replied that is what existing inside the district right now. Wessler added that is the home count for where the sewer lines are going in front or behind their homes in Phase 1. Fry confirmed that is not the entire district. Wessler replied no sir, we mailed over 800 letters. Fry asked if he can get an idea of how many commercial and residential requests have been made to build into this district and when do you anticipate that to start? Sullivan replied, this may be for CJ Taylor our planning director who is here as well, part of it is not within our zoning jurisdiction, part of it is within Jackson Township and they would likely know more. Sullivan

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asked CJ if we have any developers that have petitioned on our side at this point in time, it may be more gossip at this point in time. Once we receive it, it would go through our plan commission with a public hearing, whatnot but I don't think we have anything officially on that. Fry stated is sounds like with some of the comments being made that Phase 1 priority with maybe Phase 2 will not happen? Heirbrandt replied that is a possibility. Fry thanked them for their time.

Rick Hall, 27401 N. Dunbar Road

Hall stated most of the district is currently zoned agricultural, can we get an overlay of current zoning and is it your expectation that you are going to rezone this area for development? Altman asked CJ to speak. Taylor replied no, there will not be rezoning done but we are proposing a US 31 overlay district corridor from US 31 to Dunbar Road from the county line down to 216th Street. We are looking at any type of use in that zone going forward to be a commercial use. Hall stated that is zone he lives in, personally. Taylor stated we will not change the zoning that is there other than there are two or three parcels that zoned office currently that just for the ease of the revision to our zoning ordinance they will be changed to C-1 which is three to four parcels involved in that. Everything that is ag now will remain zoned as agriculture and can continue on that way. If someone wants to do any kind of development in that area then it will have to meet the US 31 overlay zoning district. Hall asked what about the rest of the district, outside of the corridor as you just mentioned. Taylor replied there is no plan to rezone anything. Hall asked how many households are in the district today? Taylor does not have that number. Wessler stated they mailed roughly 800 public notices to the addresses. Hall stated that is landowners, he assumes as opposed to households. Sullivan thinks there is 540 households in the area, around that number from the census tract information we just received.

Hall asked if he has the option of electing in for just water or just sewer independent of one another? Sullivan replied yes. Hall asked if he could get a list of all of those 800 individuals that you sent letters to along with those addresses? Wessler replied yes, they are actually an attachment to the petition which will be filed with IDEM because IDEM wants them because IDEM will mail notices to the same people. Hall asked if he could get it ahead of your filing? Sullivan stated we will have a draft petition available in our Director of Administration's office located directly behind this room. It will be viewable during business hours Monday thru Friday. Hall asked if could get an electronic copy of that draft? Sullivan replied we are not sending out electronic copies at this time because it is a draft. Once it is finalized we will put it on the finalized but not in draft form. Hall asked if he could make copies of that list while I am in the office? Altman replied it is a public record. Hall asked under Freedom of Information I can file for this? Altman and Sullivan both told Hall he can just make a copy; he does not need to submit a formal request unless he wants to. Hall noted sometimes you have to; some people want their I's dotted and T's crossed. Altman replied we are a little friendlier than that. Hall asked on the website they will have access to, will all of the comments from tonight and going forward be placed there for all of us,

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800 people, to see both the comments, questions, and responses to those questions. Sullivan stated we have not contemplated that but part of the petition we will file with IDEM will include the meeting minutes from tonight. It is being recorded and transcribed and will be part of our petition. At that point this meeting, your questions, comments and our responses and everything that is being recorded will be part of that petition. Hall asked, there is a 30-day period before you file per code. Wessler replied all written comments will be attached to the petition that is filed with IDEM. Hall asked if there will be responses from whoever had an answer when that comment is a question. Altman stated we will have minutes of this public comment, it will include both comments and include everything that has transacted today. Hall is going to send you a very specific question, hence my comment such as how many households in the area or what is this area zoned or whatever it is, but he would like to see, this is what I would like to see on this website my comment posted so all these other people can see the question I asked and the county's response to that. Altman does not believe we will be doing that. This is your opportunity to ask your questions. Hall stated he has to go to IDEM next to get that answer. Altman replied correct. Hall stated that is what he is trying to figure out. Sullivan stated the website has the Director of Administration's contact and if you do have questions we will try to answer them. Hall stated landowners have 180-day period with what to object this filing and if so then the proposal fails. Sullivan stated they have to object through IDEM. Hall stated right, after you file. We have 180 days after the majority of the landowners object through a signature petition then the proposal fails. Sullivan noted there will still be a hearing. Hall stated but that is what the code says. Sullivan stated yes. Hall stated they will not approve it; they will fail the application. Sullivan stated not without a hearing, just because you have over a majority with Hall interjecting the code does not read that way to me. Sullivan replied that is ok. Altman stated I will leave that to the attorneys with Heirbrandt stating yes. Hall stated they cannot override our objections. Altman stated ok, do you have anything else specifically because we have been. Hall interrupted stating he will go to IDEM and I will get you guy's addresses and you will be hearing from me.

Charles Duckwall, 27027 N. Arthur Baker Road

Duckwall stated he used to work in municipal utilities so he certainly understands and does not disagree with the concepts of clean water and sewer and how it can help the municipality and the people living there, those are important steppingstones to providing a good clean place for people to live. I get that. I would argue that everyone in this room if you are picking up on what your constituents are leaning into is we did not move to this part of Hamilton County in order to become part of a larger municipality. It was primarily to be in a country setting probably with a septic and well with the full understanding of that. The questions that I have, there is one question that I have, is this all ARPA funding or is this including state funding, county taxes, how is this exactly going to be funded? Gutierrez replied it is \$35 million with \$25 million from the county ARPA funding and \$10 million from the state ARPA money. The preliminary number is \$43 million, could be less, could be more. This is just preliminary numbers.

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There would be \$8 million bonded to make up the difference which the county would subsidize if there were not enough users. Duckworth asked if it would be through taxes eventually? Gutierrez replied not specific to your district, to the entire county. Duckworth stated the next piece is can you take the funding, and we all buy a new septic.

The last comment is simply he would like to revisit the zoning conversation because further than one-half a mile out for light commercial. Wessler explained the yellow is within a half-mile of US 31, as we were doing flow estimates for calculating potential flow for wastewater plant that was for commercial. The light green would be residential. Duckworth asked to see the slide with the most districts with zoning; asking if that is actually half a mile, it looks like a mile to me up on 276th based on landmarks, am I incorrect? Wessler replied it is a half mile to Dunbar to the west. Duckworth appreciated the time.

Steven Allell, 4030 E. 225th Street

Allell stated, you talked about the right-of-way that you would have access to, what is the right-of-way, area they differ on different roads, what is that distance. Is it measured from the center of the road or edge of the pavement, where does that right-of-way for you fall? Wessler replied with a caveat stating he is not a transportation engineer. From our investigation the best answer I can give you is it depends. There are some roads that are perpetual easement, the county only maintains the road width with Dunbar Road being an example. There is no county right-of-way off of the road. Anthony Road, 236th Street the improvements going on at Anthony Road the county is purchasing right-of-way from the landowners to widen 236th Street so that has maybe an 80-foot right-of-way, 40 foot either side of the centerline of the road. It can vary anywhere just from just to the edge of pavement to a 40 foot from the center. Allell asked if they have a master plan, when you have all the pipes laid where we can see where all the pipes might be and where all the right-of-ways might be utilized. Wessler replied at this time sir we do not. Sullivan added we have not finished design yet. Allell asked when do they anticipate that design to be done? Wessler replied, the design for Phase 1 should be done and applying for permits in late fall, early winter of this year. There is no time frame, obviously we do not know if we are going to do Phase 2 and the timeline for a further plan for the whole district is unknown.

Scott Griffin, 2789 N. Anthony Road

Griffin stated when he came up here earlier everyone was laughing because you said 48 homes and now it is 800. Gutierrez stated along the line. Sullivan replied 800 is within the whole district sir. Griffin stated there is 800 homes with Sullivan noting that is 800 addresses within the district, the 48 are the initial Bakers Corner area which is the 236th Street US 31 area. The district as you saw with the bigger red boundary with Griffin stating yes, I know which one it is and it is spaced quite a bit and he was trying to figure out if there 800 homes out through the country where I drive the roads everyday and look at them. Sullivan confirmed 800 addresses. Griffin's second question is when do you guys send

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your application to the state to get approved for a district? Sullivan replied sometime in July. Griffin repeated sometime in July you are sending it out, regardless? Sullivan replied no, we have not decided. Griffin challenged that is what you just said, sometime in July. Sullivan replied that is when we it is anticipated. Griffin confirmed no matter what goes on here you are ready to proceed? Sullivan stated we will take your comments and consider them, but we will... Griffin interrupted stating you are proceeding, that is what you are saying. Sullivan replied likely. Griffin stated basically nobody has a comment here that matters, that is what you just said. Altman replied no, with Griffin stating no, no, no I just asked him a direct question and he said yes. Altman stated I am in charge of the meeting and we are the decision makers, he is trying to explain to you the process. Griffin replied right, he is your legal advisor. Altman stated the timeline is we anticipate filing in July with Griffin stating yes. Altman continued, these comments will be considered by the commissioners before we sign any petition or file anything sir. Griffin stated and you are buying water from Sheridan to sell to us? Altman stated we are buying water from Indiana American Water. Griffin stated from Sheridan, right? Altman replied well, it is from that plant. Griffin stated it is from Sheridan. Altman replied thank you sir.

Joseph Box, 3550 E. 246th Street

Box stated his first question is for Commissioner Heirbrandt – you have been quoted as saying by the Indiana Business Journal that roughly 1,000 homes will be brought to the area which should happen quickly. Do you have any indication where these homes are going to happen or is that too early in the process? Heirbrandt replied too early in the process. Box stated additionally with the commercial you want on to make statements about jobs, growth, and commercial with Heirbrandt stating it could be. Box confirming it is similar, too early to tell in the process. Heirbrandt confirmed it is too early to tell but it could be.

Box's second question is more of a clarifying question, the \$4,500 number that was thrown out earlier, was that the connection fee that would be waived if hooked up in the first six months. Wessler replied we do not have the exact costs of the connection fee, the \$4,500 would be what is referred to as a capacity fee or an EDU or system development charge, it's per home for the capacity in the wastewater plant and sewer.

Box's last question – where their home is now located on a main or gravity system and within the first initial six months of this setting it is his understanding in this first six months that fee could be waived. If further developments down the road enable a main to be placed within distance to then keep up one of the systems would the fee be waived then or after the six months of the initial Phase 1 would that nullify that waived fee? Wessler stated what they can offer is our advice to the Board at that time but typically it would be six months from the time the sewer is placed in the front of your house is placed in service. When the sewer is placed in service and deemed operational all homeowners along the route will receive

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a letter notifying them that it is complete, and it is in. Most people will have watched it going in and will know when it is there. That notice will provide the timeframe for those six months. Box stated he appreciated it.

Scott Wilson, Wilson Farm Market, 1720 E. 256th Street

Wilson stated he resides in Cicero, but this is the location of his business. Do you guys or are you aware of any specific plans for the armory? Heirbrandt asked in regard to development? Wilson replied anything, development anything beyond it being owned since 2014, at least that is what GIS says. Heirbrandt reported they have been in discussions with Colonel Hines asking Wessler to discuss the timeline. Wessler stated they have met with Colonel Hines; I have personally been involved in two meetings with him. At our last meeting, which was roughly 45 days ago, perhaps 60 days ago, he stated their plan was to have the project out for bids early next year, early to summer next year, potentially construction starting next summer with an official occupancy or starting up in the first quarter of 2025. That was their timeframe 45 to 60 days ago. Wilson replied the armory gets thrown around a lot and it is easy to throw around because God Bless America because nobody is going talk bad against the armory, so it is easy to use that as a prop up for 276th. The elephant in the room is that we know, I am one that is going to lose a business, and we know this is really more about development which I get. I hope we get our exchange at 256th and the sewer is going to run right by but there are plenty of multi-generational landowners here that you can tell there is a little bit of overt hostility in the room, and I get that from the other side of the fence. Anyone that has lived out here knows the prospectors are out. These guys are knocking on doors and trying to buy farm ground. That leads to that hostility. For everybody behind me if you have not looked at the US 31 overlay district there is 200 pages that Mr. Taylor is working on with pretty tight constraints on how development is going to proceed. It looks good and it might help ease some pain of what is happening. We live in the country for a reason noting he does not, he lives in town. People are in the country for a reason. My last question is when you look at the overall district why the boundary on Anthony on the Jackson Township side of the road is, why is that boundary wider covering more square feet. You might be able to alleviate some complaints or some concerns if we just focus down on just talking about the US 31 corridor and US 31 overlay district. Heirbrandt asked Marty to talk about the boundaries.

Wessler stated he can attempt to answer the question why the boundaries were drawn. The boundaries were drawn based upon requests from the county, from the township trustees, from the health department and from other individuals. Wilson replied ok.

Cory Hayden, 2203 Hinkle Road

Hayden asked if we could get a link on the county's website to go to the IDEM website that deals with this project. Can we have a link installed that is a quick click on that takes us straight to there. Wessler

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does not believe that IDEM has a link for this, this has not been filed with IDEM. Hayden did not know if they had a future projects link to click on and see the webpage. Wessler replied not that I am aware of.

Ron Lantzer, 10522 E. 206th Street

Lantzer stated he has a mother-in-law that lives in this area. The question would be, would Dunbar be the main route going north with the main truck line? Heirbrandt asked for the sewer? Lantzer confirmed for the sewer and asked how far would you veer off of that? Wessler replied for Phase 2 extending north to 276th? Lantzer replied yes. Wessler stated currently it is laid out that the county will attempt to purchase easements along the west side of US 31. Lantzer replied so it would be up towards US 31. Wessler continued it would be straight adjacent to US 31. Lantzer stated that is what he needed to know, thank you.

Gerard Goodbold, 2130 E. 226th Street

Goodbold noted he is hearing impaired and did not hear everything that was said but I believe in the initial briefing he heard that one of the purposes of this meeting or this project was to get rid of septic systems, am I right or wrong? Sullivan replied failed septic systems, sir. Altman stated septic systems that are not working. Goodbold asked if that is a yes or a no? Sullivan replied failing septic systems, not just any septic system. If it is working and meets health codes then you have that 10-year period of time. Goodbold confirmed we have 10 years? Sullivan replied yes if it goes in front of your house. Goodbold replied that is more than he has. Wessler clarified that 10 years, it would be 10 years exemption from the time the sewer goes in front of your property. Not 10 years from today or 10 years from Phase 1. Unidentified audience member commented, right you get five year then five year and after that you are forced to be on, by state law. Wessler replied the county district may require you to connect. Unidentified audience member asked if state law requires you to be on it? Wessler replied state law says the district may require you, not shall require.

Scott Griffin, 2789 N. Anthony Road

Griffin stated you guys are saying you are going to purchase easements, so what happens if that person does not want to accept yours. Are you going to force, like condemn and take? Wessler cannot answer if it would be condemned or taken. Griffin asked if it is eminent domain that you guys would be doing? Wessler replied we would work with the county and the district to identify other potential routes, that is typically how it goes. If we are not dealing with a willing landowner who would allow and grant an easement then we work with the owner to identify other potential routes. So therefore, we typically look to put it in public right-of-way where possible so we do not have to pay for easements. Griffin stated right but understands earlier you were talking about a lot of these county roads don't have easements on each side of them. They just go from there, side to side. Wessler knows Dunbar is that one, that is the one I know of. Griffin replied but you said several when you said that. Wessler replied I said it could be

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perpetual easement sir, it could be easement to Griffin interrupted stating his other question is too that you guys did not answer earlier are you guys going to be creating these districts throughout Hamilton County or is it just for this one here for a certain reason? Heirbrandt stated we only have a limited amount of ARPA dollars that we would put in. Griffin stated if you put in that section right here, wastewater and water, you control that area. You control it and nobody can annex it in. Altman stated that is incorrect with Heirbrandt stating that is totally false. Griffin replied he was fed wrong information. Altman asked to clarify; this area with Griffin interrupting and Altman stating sir, if you want an answer go ahead and make your comment within the two minutes or ask a question, you have two choices. If you ask a question you have to allow us to answer the question. Griffin replied ok, go ahead. Altman stated this district was picked in this location because it is a known problem that we have experience with. We had the opportunity to fix a known problem in this area. You ask if we are going to create multiple, it's not necessary unless we know of a reason to put in another regional district. Ultimately at some point my guess is the towns and the cities will be annexing most of northern Hamilton County. That is how the growth pattern went south. Once they annex it is their problem with sewer and water. Right now there is nobody else in the central area to fix the problem. Griffin stated he can accept that. So, what is the big concern that Hamilton County have to do it, why do you guys have to do it and all of the sudden come towards everybody and force them to be on stuff they do not want to be on. Altman stated this is geographically in the middle of the northern part of the county. We don't have anyone close to run sewer lines out from municipal sewers. We have a known problem; we have the opportunity with federal funding to do a fix. Griffin replied ok, so you are telling me right now that Westfield can come in an annex your... Altman stated if they annex then it becomes their problem if it is outside our district. Griffin stated no, no, no that is what he just said that Westfield cannot annex in your district. Altman replied incorrect, they can annex municipal territory, but they cannot take over the sewer system because it is now provided. It would be a waste of resource for them to be able to put sewers when sewers are there. Griffin stated he does not understand you guys wanting to spend all this money and all this time and already accepted bids and stuff and the question he asked a little bit ago are you proceeding with everything it is like it is already a done deal it is like nobody really has an opinion here it is just like another forum for you to hear a bunch of people talking. I asked him a direct question, your lawyer and he says yah we are going to proceed. Altman replied no, I think with Sullivan interjecting we are anticipating, we said that a few times prior. Altman stated we can't do anything without IDEM ok, we can plan, we can do the preliminary work. It is ultimately up to the state whether this system goes in or not in a regional district. Griffin replied ok but I don't understand how you guys are basing something off a 2002. Have you guys done a recent study? Have you guys took your tests, your water tests. Tested for E-coli, is it up to date. Where do I find these specs out, where do I find all this stuff that I can find out that you guys have done that. Altman stated sir, again, check with the health department. I know there is a problem and at this point I would ask that you please sit down so others can ask questions. Griffin stated I understand you have that problem, but you are the ones here that are

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doing it, not the health department. You guys are here now, you guys should have the answers for us. It is not to be run around in circles by everybody. We are asking you guys. Heirbrandt stated this is the first of many public hearings. Griffin stated right and you guys should have the questions. Altman stated again sir, this is not a debate. Griffin stated he is not debating you I am just asking questions. Altman stated it is now at the point where I would ask you to please sit down, if you have further questions or comments write them in. You have had three or four chances at the podium and others have not. Griffin replied he thought this was a public meeting. They can stand up; I don't care but I have several I want to ask you and I am not getting them. You are not answering them.

Altman asked if anyone else would care to come up and ask a question, make a comment. Let's keep it to two minutes.

Unidentified Speaker

I am looking at the proposed rates, I am looking at the map that 30 and 65 or whatever the numbers were, is that for everybody inside the red boundary, or just folks hooking in or people that are outside where the proposed piping is going to be because he lives outside the piping area. This is a big area; your work is going to be very limited to US 31 essentially. Wessler replied that would be for people who are connected. Speaker asked if you are outside that area and if you are not connected you are not paying any bills to the district for water/sewer. Gutierrez confirmed if you are inside the area and are not connected you are not paying any bills.

Curtis Kitchen, 2941 E. 241st Street

Kitchen stated it is a good thing, clean water and sewage is a necessary thing, we learned that a long time ago. What my question would be now is why isn't the east side of 236th Street, a small sub-community in there which there are several older homes in there but most of them are newer say 50 to 60 years old. Why is that not included sooner in this extension up to 276th Street? Heirbrandt stated it is included in the first phase. Altman asked Marty to clarify the phases. Heirbrandt stated it will happen way before the second phase. Wessler stated Mr. Kitchen, the initial phase is the four-square mile immediately surrounding 236th and US 31 so a mile each way. The east side of 236th Street is included. Kitchen replied ok, for some reason he was thinking they were not included. Wessler replied no.

Tami Clark, 4411 E. 281st Street

Clark stated her parents live at 4411 E. 281st Street. I understand there was an issue back in 2002 in Bakers Corner. I understand you had some samples from them, so why now 20 years later is it now an issue that is prompting all this work that is going to be one. Why do we wait 20 years to do this? Wessler replied lack of funding. Heirbrandt added that is the only reason it is being looked at is because of the ARPA money. Clark replied ok, just curious.

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Pete Jarvis, 28210 N. Dunbar Road

Jarvis stated the first question I have is a little bit related, you keep saying that this is in response to a known problem but that known problem, from what I can hear, is 40 homes plus or minus. Why the 760 other addresses, there is known problem there. Why does the district include all these areas that there isn't a known problem, most of us would rather be excluded from the district. If there is a known problem then why is it not just district or that area identified as the area of the solution as opposed to this very large district that then carries with it requirements of additional sewer lines that go down our street in the future where we are basically forced to comply with these requirements. You want me to ask multiple? Heirbrandt asked him to go ahead. Jarvis asked just as a point of clarification, I guess, the sewer exemption which I think is what you are referring to is the 10 years or five years, does it follow that Indiana Code. Wessler replied yes. Jarvis asked from a clarification standpoint for everybody here, that's not really an exemption unless you meet all those requirements, your system is less than five years old, you have a burden with... Altman interrupted stating you are incorrect. If your system is functioning properly in the 10-year period, in the five-year period, in the five-year period you are not required to connect to the system because you have an effective septic system. Jarvis replied again I have no familiarity with the code other than the 10 minutes of me trying to look it up, but it does appear that you actually have to have a system that is installed less than five years before with Altman stating no, the age of your system is immaterial. It has to be a properly functioning septic system for you to receive the exemption. Jarvis responded it appears that the burden is on the homeowner though to prove that. Altman responded that is a Marty question. Wessler asked if Jarvis had any more questions? Jarvis has a feasibility question that may require a plumber so I will just throw it out there and if it does not get answered tonight that is fine. I guess I am not familiar with a sewer line system like this where homes are required to be 110 feet from the road, that is an ordinance on Dunbar Road you have to be 110-foot setback to build a home on Dunbar Road or most of the roads in the county now. I know this because I had to basically be in here to get a variance to put a porch on a house. At 110 feet or 120 feet of sewer line that means that sewer has got to be either 15 feet deep at a 1/8 inch per foot or 30 feet deep at a 1/4 inch per foot for gravity to actually get our sewage to the sewer line. I don't know how deep your sewer lines is planning on being but for a home like ours to actually connect to a sewer line we would be talking about digging a trench that's 20 feet deep if then for gravity to work. Altman replied that is inaccurate, it is where the sewer line is in front of your house at that depth is where you dig to, to connect to your sewer line. Jarvis replied right but gravity still has to flow downwards. You have to at least have 1/8 or 1/4 inch per foot depending on code and at 120 feet that is either 15 feet of depth in order to have functional gravity so I would argue that the feasibility or costs of getting someone to basically dig a 15-foot-deep trench is going to be over burdening. Jarvis stated you can shake your head at me like that, but I have two engineering degrees and I understand gravity. Altman replied understood but per your analysis there would be no new homes built asking Marty to answer that. Jarvis replied no

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there wouldn't be homes that are 120 feet from the sewer line. There would be lots of new homes built but there wouldn't be homes that are 120 feet from the sewer line that serves them and your code in this county requires that may house be 110 feet from the street which is where the sewer line would be. A new home built on Dunbar Road is going to require 120 feet of sewer line to connect to the sewer which means it is going to have a minimum depth at 1/8 inch per foot of 15 feet. Heirbrandt asked Marty if he could check into that. Wessler replied actually he can answer all three of the questions. Jarvis stated ok and that may be basically, I am not a plumber, I don't deal with it, it seems like a feasibility issue. I guess my last comment is on home value and after that I will sit down. The comment was made about this being an improvement to home values, I know most of the people who seek to live where we live, a lot of people are looking for land out in the country now would actually consider it a degradation of their home value to be on city sewer and city water.

Wessler replied with regard to the exemption from code, code actually changed earlier this year through House Enrolled Act 1245 that updated and revised Indiana Code 13-26 to provide for an exemption. The exemption is, as we stated in loose terms, is 10 years from the date the sewer that you are notified that sewer goes in front or behind or to the side of your property and you are to connect. Then there are two five-year extensions if the county grants them. You are correct in that the homeowner needs to apply to the county health department. We have talked to the county health department with this being a new revision to the code there is not a process set up yet by the county health department to handle the exemptions yet. I don't know this may be the first regional sewer/water district created in Hamilton County, that I am aware of and so the county health department is now going to be working to set up that process if this petition goes through and is granted by IDEM then the county health department would set up that process. Does that answer the question on the exemption? We actually and Derek put that the link to the new code in the presentation so that will be there on Indiana's IGA website. Travis replied ok, it answers the question of it not needing to be five years old or maybe I am looking at an old version of the code. Wessler stated the age of the system now does not matter in the new updated code. Jarvis replied but it is the burden of the homeowner to prove they have a functional system to health department to get that exemption. In a case like ours and probably a lot of people in this room the health department has no records of our septic system so they will not approve anything having to do with my septic system so there is no way for a lot of us to probably get that exemption. Wessler stated he can not speak to what the health department will or will not do. Jarvis replied ok, I would just request that it not be stated that we could basically all apply for this exemption because for most of us we probably will not be able to get it. It should be a little bit more tentative in terms of how it is communicated because it is not realistic to claim we can get a 10-year exemption and a five and a five because we have the burden of proving to the health department that we have a system that complies with their requirements. For a lot of us homes built in the country over the past 30, 40, 50, 100 years they do not have the records necessary for us to demonstrate or prove that we actually have a system that they would consider

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exemptible. That is my opinion, I guess. Having pulled permits and having them deny my permits because they don't know where my system is and making me have the burden of proof that it is adequate I guess I have that experience.

Wessler stated with the regard to the depth I believe if it is an 1/8 inch per foot slope and you are 120 feet from the road that would be 120 inches divided by 8 so that is 15 inches of fall, not 15 feet. Wessler noted Bob Holden has three engineering degrees from Purdue. Someone from the audience asked how deep do you have to be for 300 feet? Wessler replied for 300 feet you are probably right at five to five and a half feet.

Altman asked for anyone else that cares to address the board to form a que line so we have an idea of who all is left. If you have not spoken, if you care to speak if you come up to the podium and form a que line so we can come to the point of making sure we allow everyone who has a comment to speak. If you will wait one minute so we don't interrupt the speaker asking anyone else that wishes to speak to form the que line, she would appreciate it.

Dave Smith, 3311 E. 266th Street

Smith stated the big red box, if you are in the extreme corner of the big red box you are two miles of US 31, what kind of timeframe would there be to be able to hook up to sewer or is it even possible that far out. I guess I am confused, you have to be 300 feet from US 31 how is somebody two miles away going to hook up to it. Altman stated the 300 feet is your home to the sewer line and the sewer lines will be branches asking Wessler to explain the system. Wessler stated if you are out, east of US 31 out by Cal Carson? Smith replied yes. Wessler explained you are within the district, there are no immediate plans right now to extend water and sewer out to Cal Carson. Smith confirmed that may or may not happen with Wessler stating it may or may not happen, correct.

Jay McKinney, 2610 E. 266th Street

McKinney asked if it was stated there are around 48 homes that needed septic repairs for maintenance, they had issues that were unacceptable? Altman replied I believe the statement was there were 48 homes on the initial sewer line. Gutierrez stated when you build the line it will touch 48 existing homes that will then have to decide. Like the gentleman asked he could be within the district but may not have immediate access. The district encompasses almost 800 addresses with every address within the prescribed district will have access to a direct line. McKinney thinks the initial comments were that this was initially planned to alleviate septic issues that did have issues or were leaking, has there been any data or study of how many homes have issues or having septic issues. Wessler replied our discussions with the health department in talking with Jason and Amy at the health department where that they attempted to

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fix as many as they could in Bakers Corner and that some of them were done to a standard that was not up to standards and they have no doubt there are some issues in that area.

McKinney asked if it has been considered to get grants to, he would assume, less than 800 homes in the current area to repair the current septic systems and to coincide with that to shrink the district into a smaller area that is concentrated on where the growth is expected to happen. What is it 1,100 homes were expected? Heirbrandt replied that was the whole purpose of Phase 1 and Phase 2. McKinney stated so the growth of Phase 1 and Phase 2 is where the expected homes and revitalization will happen? Heirbrandt replied yes, that is where we were think it would be.

Cory Hayden, 2203 Hinkle Road

Hayden confirmed the maximum distance from the road is about 300 feet and anything farther than that you are not going to be required to hook up? Altman replied it is the sewer line, correct Marty, the connection point is the sewer line? Wessler replied he will have to research that; I am not 100 percent positive to say with certainty that its 300 feet from, if your house is 300 feet from the sewer line or sometimes it is interpreted that if a sewer line is within 300 feet of your house or your property. I think there may be some gray area, I am not 100 percent sure. Altman stated we will clarify that and post it.

Tami Clark, 4411 E. 281st Street

Clark thinks they said they are sending the letter to IDEM in July to get this project approved, was that correct or did I misunderstand that? Sullivan replied it is our petition to IDEM. Altman stated a petition is to ask IDEM for permission to proceed with this system. Clark clarified that is not asking for permission to build this system and to move forward, it is just. Altman replied no, it is permission. Wessler stated the petition is to create the district, there are two separate answers to your question. The petition, the county has to wait at least 30 days and receive written comment for 30 days after this hearing. Then the county commissioners have to make the final decision whether they are going to submit the petition to IDEM or not and if the commissioners decided to submit the petition to IDEM that cannot happen any sooner than 30 days from tonight. That is to create the district and that will become the entity that owns and operates the utility. Then the construction of the actual sewer and water pipes, the engineering has to be done, the plans have to be drawn up and then those have to be submitted to IDEM to the construction permits branch to apply for a permit to build it. When those permits are obtained from IDEM and DNR and other agencies, when those permits are obtained then the contractor can begin to build the sewer and water plants. Clark confirmed, the first step is to ask permission to form the district and then at one point I thought you said IDEM will have another public hearing to get input. I think some of the concern is people are concerned that they are not being heard, you are going to move forward in July and submit the request already without being able to submit written comments and all of that. It sounds like it is probably going to be the end of July if it is 30 days from today so they can still

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submit written comments over the next 30 days and then there will be another hearing with IDEM whenever. Wessler replied yes, then when IDEM receives the petition then they will assign it to a hearing officer, the hearing officer will then announce and publicly notice and provide notice to all the property owners for another public hearing. The hearing officer conducts it, the county does not.

Audience member asked where will that hearing be held, here or Indianapolis? Wessler replied that will be up to IDEM, by statute it has to be within 10 miles of the district area.

Altman thanked everyone for appearing and expressing your concerns. There are some areas obviously we need to clarify, which we will, and we will post those answers. Remember you do have 30 days if you have other comments to make to submit them and it is in the notice Mr. Stevens.

Audience member announced if they want to organize we are going to meet out here.

Altman and Heirbrandt thanked everyone for coming.

Hearing adjourned at 8:59 p.m.

Present

Christine Altman, Commissioner
Mark Heirbrandt, Commissioner
Connor Sullivan Assistant County Attorney
Martyn Wessler, Wessler Engineering
Bob Holden, Wessler Engineering
Derek Urban, Wessler Engineering
Oscar Gutierrez, Bondry Management Consulting
Blake Bergan, Taft Stettinius
CJ Taylor, Hamilton County Plan Commission Director
Kim Rauch, Administrative Assistant to Auditor

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Dan Strong
Danny Clark
Tami Clark
Scott Griffen
Brian Inman
Barbara Inman
Debra Schneider
Phil Schneider
Steve & Sandy Baitz
Robert Robey
Jeff Beals
Jerry G. Cook
Beverly Grinstead
Larry W. Beals
Kimberly Chance
Jay McKinney
Trent McKinney
Report Newspaper
Justin Carey
Scott Bockoski
Alma A Soja
Brandi Marcum
Brad Marcum
Dan Lawson
Dorinda Lawson
James W. Ringer
Susan L. Ringer
Lavella Hyter
William N. McDole
Karen McDole
Rita Conaway
Mary Kinder
Ellen Robinson
Jeff Brown
Steve Stepp
Jackie Roeder
Bill Roeder

Ken Heiny
Pam Crussel
Cory Hayden
Jeff Ramsey
Teresa Hayden-Reeves
David R. Smith
Gerard Goodbold
Harry Smith
Shirley Smith
Gary S. Zieger
R.F. Spencer
Gary & Mary Pierce
Ali McIntire
M. Thompson
Connie Bucher
Eric & Julie Frey
Curtis Kitchens
Charles Duckwall
Ron McGill
Dave McGill
Amanda Egler
Douglas E. Quear
Christopher Lutz
Ron Lantzer
Kathy Moorhous
Michelle Wyatt
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Jerry Johnson
Barbara Chamness
Molly Hiatt
Jim Mahern
Neil Thompson

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Linda Hodgkin
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Blair Frye
Ed & Christy Linn
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Roger Goings
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Joseph Box
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Doug Happel

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Christine Altman
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ATTEST
Robin M. Mills, Auditor

Date Approved: 7/25/2022