

Sewer district fights back

All interested hear conservancy district facts

By Debbie Lowe
Staff writer

The president of the Indiana Conservancy District Association addressed a crowd of more than 80 Thursday night at the Yeoman church. He clarified facts and dispelled myths and rumors about what a conservancy district is and is not.

If there were opponents to the establishment of a conservancy district in Jefferson Township, they did not make themselves known. No one in the crowd spoke against the formation. Most questions concerned how a conservancy district is different than a sewer district. State association president Bill Holland's responses were short and to the point.

"I can't stress enough, it's all about home rule," Holland told the listeners. "The good thing about conservancy

districts is that you own the district," he continued. "You elect the directors. If you don't like what they are doing, you vote them out."

Carroll County Commissioners have been asked by Jefferson Township residents to file a declaratory judgement. That action requests the court to declare who has the right to do something when it seems like two or more entities have the same right to do it, according to Wayne Holmes, attorney for the conservancy district.

"The commissioners are the only ones with the legal right to bring a suit," Holmes advised.

He explained that in 2000, the commissioners at the time invited the Twin Lakes Regional Sewer District to provide service to a portion of Carroll County and they accepted. Holmes said a new group

of commissioners in 2005 uninvited the sewer district and that request was rejected by the sewer district's board of directors.

"Currently the Carroll County Commissioners don't want the district to come here," Holmes said.

TLRSD opponent Pat Robertson explained the sewer district is now taking steps, and spending money generated by rates charged to customers, to fight the formation of the conservancy district. Robertson described a letter hand-delivered in July to Carroll County Commissioners' Attorney Barry Emerson from sewer district attorney Donald Tribbett. She said the letter said in part, "It appears politics may prevail over reason."

Robertson read the letter which stated that the sewer district is "clearly within the common good and benefit" of the residents of Jefferson Township. "Opponents do not appreciate the concept of common good."

Opponent Terry Dill said he disagreed with Tribbett's assessment of the situation.

"Once we gain control, we won't have that threat anymore," he said.

Dill told the crowd that one rumor is that no one can build a wastewater treatment plant and system for less than TLRSD. He said the conservancy district has no plans to build a treatment plant and they do not intend to condemn "good working septic systems."

Carroll County resident Dieter Hantschel referred to his letter to the editor that appeared in the July 18 issue of the *Comet*.

"I attacked the idea of the conservancy district," he said.

But after talking to conservancy district organizers, receiving "a dose of credible information" and not being able to substantiate cost information offered by former county commissioner Clara Rider, he said he changed his mind.

"I made a mistake by writing that letter," he admitted.

Holland explained Indiana Code gives a conservancy district the power to determine who will be required to connect to their service. He said they have the power to make every-

one connect, "but they don't."

He said conservancy districts are taxing authorities unlike a sewer district. However, the members of the board of directors of a conservancy district are elected by those who would be taxed. Six out of seven TLRSD board of directors are appointed by the White County Commissioners. Carroll County Commissioners appointed one member to the board, Wayne Garrison.

"If you want to serve (on a conservancy district board), you aren't going to tax needlessly," Holland emphasized.

"The (Carroll County) commissioners are under the gun right now," Dill said. "They've got some serious decisions to make."

Commissioners stand firm on sewer district decision

Although the Carroll County Commissioners were implored to change their minds about filing a law suit against the Twin Lakes Regional Sewer District with threats of spending more money than the county can afford for the action, they stood firm at their Monday morning meeting. Albeit not with a unanimous vote, they upheld the decision made at the July 3 meeting to pursue a suit to declare Jefferson Township to be in the jurisdiction of the commissioners and not the sewer district.

Former commissioner, and one of the original county executive members who invited Twin Lakes Regional Sewer District into the county in 2000, Clara Rider told county leaders she gave petitions against the proposed conservancy district to auditor Beth Myers. She said she did not know the number of signers.

"There are seven miles of people in desperate need of this service," Rider said. "Reconsider this expensive lawsuit. Carroll County citizens do not want to pay for this."

"This is an expense that Carroll County cannot afford," she concluded.

Resident Jonetta Jones said the conservancy district developers seem to be "very committed to their cause," but were concerned that it would take up to as many as 10 years for them to be able to begin providing help to those property owners in need. Jones expressed concern conservancy district organizers might not continue planning for services after successfully being removed from the TLRSD jurisdiction.

Wayne Mikesell, a Lake Freeman resident for 42 years, said he was connected to the sewer district in 2001.

"The sewer has been a terrific asset for us," he said as he explained some area residents were using 55-gallon drums as septic systems before the sewer was put into his neighborhood.

"We're doing this for down the road," said Herb Campbell of C&C Beach, also one of the original group who petitioned the commissioners in the late 90s to request inclusion into the sewer district. "We didn't just look at this one spot."

Sewer district board treasurer Art Anderson talked about the cost involved for the county to take the sewer district to court to settle the jurisdictional issue.

"I'm not exactly the most politically correct person - but I get things done," he said. "The commissioners voting against the territorial authority will be a pain. The buy down (for Carroll County customers) will be \$1,000, unless we end up with a lot of legal fees and we have to tack more on to the Carroll County customers."

"I'm asking you to try to not sue us," he continued.

Anderson said there were 35 miles of sewer line to be laid in Carroll County. He said the board allocated \$300,000 from other phases to help pay for the Carroll County portion in lieu of grants, which were plentiful when the other phases were constructed. He said there was currently less money available for grants.

"I don't know if you people have noticed a war out there," he said. "It's not like we're coming over here and trying to rip you off. We've done the best job that we can."

Anderson said in a later statement, a portion of the \$300,000 would also help customers in White County.

"I own property here," Ed Lucy said.

"I'd like to have a sewer system, but I'm opposed to Twin Lakes."

"This will affect everyone in this county before it's over with," Lucy continued. "You are our last line. They are threatening you people personally," he told commissioners.

Jefferson Township resident Dieter Hantschel apologized to commissioners for statements he made at an earlier meeting when he advocated in favor of TLRSD.

"I supported Ms. Rider two weeks ago," he said. "I have now studied the matter more."

He said when he asked Rider how she determined the reported \$3,000 amount it would cost each taxpayer of Jefferson Township for the conservancy district, she told him the numbers were supposition.

"No one can convince me that sewage coming from Buffalo has anything to do with the citizens of Carroll County," he said.

Hentschel said Rattlesnake Creek, into which TLRSD will discharge from a nearby wastewater treatment plant soon to be constructed, flows into Adams Township and then into the Wabash River and Tippecanoe and Deer Creek townships.

"We need to handle this problem on our side of the county line," he said. "I urge the commissioners to accept my apology."

"Every time you make a decision, there's a threat of a lawsuit," Adams Township resident and county council person Ron Slavens said.

He noted that 35 miles of pipe was to be laid but it was only seven miles around the lake. He said residents contacted him with concerns that they felt threatened personally to sign a petition to support TLRSD.

"I signed that paper under duress because Mike Darter (sewer district superintendent) threatened me," Lucy responded.

When asked by Rider, Slavens said he supported the lawsuit as a resident and was neutral about it as a councilperson. He said there were easements not signed that would delay construction no matter what the county commissioners decided to do. He also pointed out the engineers for the sewer district were the same engineers who worked the Rockfield sewer district project, which was only resolved after the county council provided financial assistance and county highway undertook the responsibility to repair the roads after construction.

Commissioners' attorney Barry Emerson said jurisdiction was the issue. He said there would be expense and perhaps liability involved in filing a suit against the sewer district.

"I'm not for the Twin Lakes Sewer District, I'm not against the sewer district," he said. "There are good people on both sides. But I think the matter was determined by IDEM (Indiana Department of Environmental Management) back in 2000."

"I feel my motion was correct," Bill Brown said. "I feel the correct thing for us to have done was to form our own sewer district."

"I'm not going to make a motion to re-

scind (the previous action)," he continued. "I don't think it's inappropriate to spend the money on this."

Brown said financial support from the county council was needed. He moved to put it on the next council meeting agenda.

"I'm willing to stand by my decision," George Mears said. "I do not want this to cost the county, but everybody agrees that

there is a problem."

The measure to request funding to support the lawsuit from the council was passed in a two-to-one vote. Loren Hylton was not in agreement with his fellow commissioners.

"I would encourage everyone to talk to your council members," Brown concluded.

Staff From page 1A

crease to \$100 per veteran, moved to table the issue until the next meeting.

However, the council declined to schedule an August business meeting. Dates were set for budget hearings, and although there was discussion about setting a date for an August meeting, by consensus, no date was set.

Budget hearings were scheduled for Aug. 20 and 21 from 8 a.m. to 3 p.m. These hearings are for council members to listen to and ask question of department heads.

Budget discussion and setting the proposed 2008 budget will be Sept. 11 and 13 from 8 a.m. until 3 p.m. Department heads will be invited to review their proposed budgets after those dates. Sept. 25 was scheduled for department heads to ask questions and comment on their proposed 2008 budgets. Adoption by vote will be Sept. 26 at 8 a.m. and the September council meeting will be held directly following adoption.

Finance committee
Chair Ann Brown announced the 2006 audit was near completion and exit conferences are expected to be held in mid-August.

Auditor's reports
Beth Myers distributed a binder containing budget requests for 2008. She also distributed a monthly financial

statement, monthly comparison report, a revenue and expense statement and a report depicting Emergency Medical Services ambulance run receipts for 2005, 2006 and up to July of this year.

She announced the governor extended the deadline for counties to adopt a local option income tax for property tax relief to Oct. 1, 2007.

Animal control

Slavens was named alternate council representative to the Carroll County Animal Control Commission. The commission is scheduled to meet Aug. 8 but Brown, who is the formal appointee, will be unavailable for the meeting. The meeting will be in Camden.

Carroll County Economic Development Corporation Director Daryl Smith distributed an annual report. Slavens suggested the council meet with commissioners and EDC to discuss Economic Development Income Tax disbursements to EDC. He said that although EDIT money is controlled by the commissioners, council sets the tax rate and therefore has partial control over the money.

"It's time to look at that," Smith agreed.

However, no action was taken to schedule a time for the joint meeting.

Facade From page 1A

park is open for business.

Farrer reported 28 children participated in tennis camp, 35 in golf, 32 in watercolor workshop, 39 in acrylic painting, 29 in gymnastics, 38 in drawing class and 65 children traveled to Tropicanae Cove on two occasions.

Clerk/treasurer Janice Roe announced the public hearing for the 2008 budget will be Aug. 13 at 7 p.m. This is the opportunity for the public to make comments on the budget prior to passage. A copy can be viewed in Roe's office.

Police chief Ed Chapman's report indicated there were 46 traffic summons and 64 warnings in July. There were three felony arrests, nine misdemeanor arrests and 11 information reports in the same period. Fifteen accidents were investigated and the department issued five handgun applications.

Airport manager Brian Stirm said 875 gallons of fuel were sold in July, which is an increase from June.

John Hampton reported the committee to select the steering committee for the county comprehensive land use plan development will meet next week. He said the plan is for nine to 12 people to serve on the steering committee, with three from Delphi.

Mayor's report

Hoard said the grade review plan was received from the Hoosier Heartland Highway engineers. It will be discussed with county and chamber representatives and other interested parties.

Hoard said preliminary plans call for Arby's to open in mid-September.

The next meeting will be Sept. 10 at 7 p.m. Board of works will meet Aug. 23 at 5:30 p.m. and Sept. 10 at 6:30 p.m.

Births

Kelvin and Julie Overholser Ford, 761 Blue Jay Way, Pittsboro, are parents of a 7-pound, 1-ounce son, Gabriel Owen, born July 27 at St. Vincent Women's Hospital, Indianapolis. Grandparents are Gary and Renita Overholser of Cutler and Ruby Henderson of Wichita Falls, Texas. Maternal great-grandparents are Lorene Winningham of Flora and Max and Doris Overholser of rural Bringham.

ATTENTION: CARROLL COUNTY NON-PROFITS REQUEST FOR GRANT PROPOSALS

The Carroll County Community Foundation is pleased to announce that applications for grants for:

- the arts
- civic affairs
- education
- health
- human services
- youth

will be made available at a special community meeting on **Wednesday, August 8, 2007.**

Grants will be made on a dollar-for-dollar basis.

The meeting will be held at **10:00 a.m. at the Flora-Monroe Public Library, 109 N. Center Street, Flora 46929.** This one-hour session will cover the basics of applying for a grant from the Foundation. Attendance at the community meeting is mandatory for any organization seeking a grant from the Foundation.

Timeline for Grant Process - 2007

- Community Grants Meetings: August 8
- Deadline for Letter of Inquiry: August 23
- Application Deadline: September 11
- Grants Committee Meeting: September 21
- Board Action on Grants: November 14
- Project Begin Date: November 15

To reserve your place at the meeting, or for more information, email info@cfcarroll.org or contact the Community Foundation offices, (800) 964-0508.

NOTE: Please mark your calendars with the above dates.

Milner Community Health Care Inc.

370 E. Main St., Rossville

(765) 379-2112 or (765) 296-3099



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