

# Montgomery County Board of Commissioners

## Resolution No. 2018 - 7

### A RESOLUTION REQUESTING THE EXPANSION OF SERVICE TERRITORY OF THE MONTGOMERY COUNTY REGIONAL SEWER BOARD

WHEREAS, on or about March 13, 2006, the Montgomery County Council (Council) and the Montgomery County Board of Commissioners (Commissioners) petitioned the Indiana Department of Environmental Management (IDEM) for an Order to establish a regional sewer district in Montgomery County; and

WHEREAS, on February 27, 2007, IDEM approved the creation of the Montgomery County Regional Sewer District (RSD); and

WHEREAS, after the IDEM approval, the RSD was formed, and it constructed and operates a sanitary sewer system that collects and treats sanitary sewage for residents of Montgomery County, Indiana in its territory; and

WHEREAS, the territory served under the IDEM order originally included the eastern part of South Union Township and the southeastern part of North Union Township in Montgomery County, Indiana, with the boundaries being State Road 32 on the north, County Road 500 South on the south, a line one mile east of Nucor Road (County Road 400 East) on the east, and a line one mile west of Nucor Road on the west, and in 2010 the territory was amended to add additional areas south of State Road 32; and

WHEREAS, there continues to be a need to provide sanitary services to residents adjacent to the current service territory, and the RSD and Montgomery

County Redevelopment Commission (RDC) has studied the feasibility of providing sanitary sewer services to users outside of the current territory and in an area north of State Road 32 and west of the current territory; and

WHEREAS, as a result of the findings of the RSD and RDC, both have requested that the Commissioners consider requesting that the RSD expand its service territory in order to provide needed services to the additional territory; and

WHEREAS, the additional territory would include the additional area west of its current boundary, extending to the east boundary of the 100-year SFHA of Walnut Fork Creek, then south along the 100-year SFHA of Walnut Fork Creek to a point where said line intersects Elmore Street extended, then west to the intersection of Elmore Street extended and County Road 200 East, then south to the current boundary on County Road 200 South; and

WHEREAS, the Commissioners believe that it is necessary to expand the service territory of the RSD in order to provide sanitary services to the residents of Montgomery County, which residents are currently served by septic systems, some of which are failing, and to provide sanitary services to economic development prospects in the additional territory; and

WHEREAS, inclusion of the additional territory in the RSD will be conducive to the public health, safety, convenience and welfare; and

WHEREAS, it will be practicable and feasible for the additional territory to be included in the RSD; and

WHEREAS, the Commissioners request that the RSD approve the expansion of its territory, as described in this resolution, and notify IDEM of the inclusion of the additional territory in the district.

IT IS, THEREFORE, RESOLVED that the Montgomery County Board of Commissioners hereby request, under Indiana Code §13-26-8-1, that the Montgomery County Regional Sewer District expand its service territory to include the following additional territory:

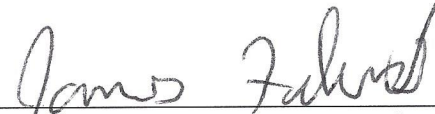
An area west of the current boundary, beginning at the northwest corner of the District boundary, then west to the east boundary of the 100-year SFHA of Walnut Fork Creek, then south following the 100-year SFHA of Walnut Fork Creek to a point where Elmore Street extended east intersects with said 100-year SFHA, then west to the intersection of Elmore Street extended and County Road 200 East, then south to the District boundary on County Road 200 South.

IT IS FURTHER RESOLVED that the County Auditor deliver to the President of the Montgomery County Regional Sewer District Board a certified copy of this resolution within seven days of this approval.

IT IS FURTHER RESOLVED that the President of the Board of Commissioners is authorized to execute any and all documents requested by the Regional Sewer District in order to facilitate this request.

Approved this 21st day of May, 2018.

A MAJORITY OF THE  
MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS:

  
James D. Fulwider, President

  
Phil Bane, Vice President

  
John Frey, Member

Attest:

  
Jennifer Andel, Auditor