

MARSHALL COUNTY

WATER TASK FORCE

FREQUENTLY ASKED QUESTIONS

PREPARED BY:



FREQUENTLY ASKED QUESTIONS

What is a regional district?

A regional district is a form of government that functions solely to handle drinking water, solid waste (trash), or wastewater infrastructure needs. A district may combine any of these purposes. In Marshall County the plan includes only wastewater.

Who makes the formal request to form a district?

In Marshall County the formal request is being advanced by the County Commissioners and Council.

Why should formation of a regional district be considered?

In an area without public sewers, forming a regional district is a way to provide this service to citizens. In all of the areas being considered (13 in all) residents and the health department have significant issues repairing or replacing on-site systems to the extent that permitting is, many times, not possible.

Can I be involved in the process?

Yes, attend any public meetings as well as the public hearings that are held during the formation process. Request information from the project team using the contact information and links provided here.

What if I don't agree with the formation of a regional district - what is the time period that a homeowner has to voice their concerns about the district?

You may appeal formation of the district only during and within thirty

(30) days of signing of the Recommended Order (RO). The decision, described in the "Notice of Decision", may be administratively appealed. Filing an appeal is formally known as filing a "Petition of Administrative Review" to request an "administrative hearing". Filing an appeal is a legal proceeding.

How do I know if I am to be included in the area to be managed by a district?

When a petition is submitted to IDEM, a description or graphic map of the boundaries of the requested district must be included. At that time you may view the petition at the local library. The IDEM Hearing Officer makes publication of notice in local newspapers in the affected county. Also visit the link below.

Can a regional district begin charging me for service before completing my connection?

Yes. A regional district may bill and collect rates and charges for the services to be provided after the contract for construction has been awarded and actual work has started.

What if I wish to be included in the area?

If you are interested in inclusion in the district, you should contact your County officials.

FREQUENTLY ASKED QUESTIONS ...CONTINUED

What if my septic system works fine or if I want to keep my private well and not hook up to the system?

- Contact the Regional Sewer District Board (see also Indiana Code IC 13-26-5-2.5).
- Talk to your local health department. There may be other alternatives in the statute if your septic system is new enough and has been recently certified.
- A regional district has the authority to require or waive sewer connection. These decisions are made locally by the regional district board and are on a case-by-case basis. However if everyone in the service area connects at the same time, it can help control the cost of the project.

How does a regional district determine sewer rates?

Proposed rates will be presented in the petition for formation. Once formed, regional districts are bodies of government with the direct authority to make decisions on sewer construction or repair, connection requirements, financing, user rates and fees.

Will there be a connection fee?

A regional district has the authority to determine whether or not to charge a connection fee and how much it will be.

Who is accountable for the fees and charges collected by the district?

Generally, each regional district goes through an audit by the Indiana State Board of Accounts (SBOA) every two years. The SBOA has the right to hold an audit or inspection more frequently if needed. Indiana

Code 5-11-1-2 dictates a biennial audit while other circumstances prescribed through the Indiana Code may merit additional audits. These audits are available for inspection by the public pursuant to a public records request.

I have vacant land within the regional district boundary. Can I be charged for service?

The regional district board may design a water or sewage project to extend to, and benefit, every lot, parcel of land or building in the service area. In the case of Marshall County RSD only those who request this will be considered. Those who request this will be charged a user rate.

What are the advantages to homeowners in forming a regional district?

Regional Districts cannot charge a tax. They are supported by user fees. Usually if a sewer is available your property values increase. In the case of Marshall County the system will provide solutions to the homeowners where currently none exists.

Are there any public funds available to assist with project costs?

Yes there are. State and federal loan and grant programs include:

- The Indiana State Revolving Fund low-interest loan program
- U.S. Department of Agriculture - Indiana Rural Development loan and grant programs
- The Indiana Community Focus Fund grant program

FREQUENTLY ASKED QUESTIONS ..CONTINUED

Who applies for the public funds?

The regional district has the authority to apply for public funds. In some cases, the county will start the funding process then turn it over to the district once formed.

What if I don't agree with the formation of a regional district?

If you receive notice from IDEM that it has ordered a district's formation, you have thirty (30) days to file an appeal. IDEM'S notice will include instructions about how to remonstrate.

Are regional districts subject to jurisdiction of the Indiana Utility Regulatory Commission?

No, most regional districts are not.

For more information:

Call the Regional District Coordinator of IDEM's Office of Water Quality about district formation at: (800) 451-6027. You can also view information by internet search for;

- Associations such as the Indiana Regional Sewer District Association, Alliance of Indiana Rural Water, Indiana Rural Water Association or Rural Community Assistance Program.
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- The Indiana statute for regional districts can be found in Indiana Code (IC) 13-26.
- Indiana statutes for appealing the petition to form a regional district are found at Indiana Code (IC) 4-21.5-5-3, and Indiana Code (IC) 4-21.5-5-7). The Indiana State Web site with the entire code is available online.
- The Indiana statute for sewer rates can be found at Indiana Code (IC) 13-26-11

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IF YOU HAVE QUESTIONS PLEASE REACH OUT TO
questions@marshallcountyrsd.com
or 574-200-0049
or visit www.jpri1source.com/marshall-county-rsd/