Whitley County Regional Water & Sewer District
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June 25, 2021

To Whom it may concern:

If you are receiving this letter, your property in Whitley County, Indiana has been included in the preliminary design for the construction of a new sewage collection system ("**System**" or "**Project**") by the Whitley County Regional Water and Sewer District (the "**District**"). A map is attached to this letter outlining the limits of the properties included in this project. In general, this project will include the following unincorporated areas in Whitley County.

1. Churubusco- South
2. Churubusco- West
3. Coesse
4. Dunfee
5. County Line Road South
6. Stable Acres

1. Background

In March of 2021, the Board of Trustees of the District ("**Board**") approved the submission of the Preliminary Engineering Report ("**PER**") to the Indiana State Revolving Fund ("**SRF**"). SRF is currently reviewing the PER and the District anticipates receiving the SRF funding commitment in late July. The District has authorized the firm Jones Petrie Rafinski Corp (JPR) to proceed with the design phase of the project. The overall goal of the project is intended to improve groundwater quality in our lakes, streams, and groundwater (our source for drinking water).

The District anticipates the Project will be publicly bid in late 2021 or early 2022 with construction to commence in spring/summer of 2022. We expect the Project to be completed and begin operations in late 2023 or early in the year of 2024.

2. Your Connection to the System

The proposed sewer system will consist of segments of gravity sewer and pressure sewer.

Gravity sewer-
For the gravity sewer system, sewer laterals will be extended from the main gravity sewer line (generally located in the road right of way) to the road right of way line adjacent to your property. For the gravity sewer system, an easement from the property owner will generally not be required. The gravity sewer line is intended to be installed deep enough to allow building sewer connections from all first-floor level plumbing fixtures connected to the building sewer. Any properties with a plumbing fixture in the basement levels with no ejector pumps are encouraged to call JPR to discuss any specific conditions such as basement connections.

Pressure sewer-
For the pressure sewer system, a property would typically require a grinder station and related equipment (**GS**) to be installed on an individual property. In as many cases as possible, properties will share a GS to help keep costs down. The GS collects wastewater from one or more sewage-producing structures on your property or an adjoining property (likely your home or business), grinds the wastewater to a liquid slurry and will then pump the wastewater to one of the System's main collection lines. Grinder stations will be installed as close to the main pressure sewer line in the road right of way as possible, but may be extended further onto an individual's property to allow the building's sewer lines from any first floor plumbing fixture to be connected by gravity lateral from the building sewer to the grinder station.

These GS's will be installed, owned, operated and serviced by the District. The District will pay for and install any required electrical systems (from the grid, not from your electric service) to power these grinder stations

The entire wastewater collection system will be installed, owned, operated, and serviced by the District. The contractors who will be retained by the District to complete the construction of the System will be required to return your property to a like or previous condition per the terms of their contract with the District, including, but not limited to the re-seeding of any grass with a type of seed similar to your present lawn.

As part of the final phase of the System construction (in late 2022 or early 2023), property owners will be notified by mail that they should connect all required structures capable of producing sewage, on their properties, to the gravity sewer lateral GS. This connection cost will be your responsibility. The connection must be made within a required period of time to be determined at the conclusion of the construction phase of the System, but it will be no sooner than 90 days from when you receive notice to connect.

The property owner responsibilities for connection to the District's sewer system would consist of:

- Septic tank abandonment
    - Pump out septic tank
    - Crush lid
    - Fill tank with pea gravel
- Install gravity sewer lateral from structure to GS or gravity sewer lateral

3. Utility Easements

In the next 3 to 6 months, the District will be requesting an easement from certain properties (those properties that may have a main line sewer line partially on their property or a grinder station on their property) to facilitate construction of the System and to make the connection of your property to the System more economical.

What is an easement? An easement (n.) is the right to use the real property of another for a specific purpose. The easement is itself a real property interest, but your legal title to the underlying land is retained by you for all other purposes. The District's rights are limited to installation, maintenance and preservation of its equipment associated with the System, as spelled out in the Easement Agreement (defined below).

Typically, when a property is acquired, it already has one or more easements recorded for utilities and possibly other purposes. But because you, as a property owner, acquired it before the construction of the System, the District will require a utility easement to install the GS or sewer line on your property, to connect the GS to one of the System's main collection lines, to run main collection lines and/or to allow the District's staff and contractors to enter your property to inspect, service, repair and eventually replace any equipment and/or lines over many years to come.

In order to accomplish this, the District requests both a "Temporary Sewer Construction Easement" and a "Permanent Sewer Utility Easement" from you to the District. The District will provide a sample easement agreement with the easement mailing in a few months.

4. Location of Easement and GS

It is the District's desire to create value and to benefit your property with the installation of System. Whenever possible GS's will be located at or near your property line with your neighbor to facilitate sharing of GS's by properties. The District's engineers will determine the best location to allow for the most economical connection of your property to the GS.

After construction of the System and installation of the GS upon your property, a 15-foot-wide permanent easement shall remain. More details of this easement are described in the Easement Agreement.

5. Do I have to connect to the System?

In a vast majority of cases, the answer is **YES!** Once the System is completed, Indiana statute authorizes the District to require properties located in the District's territory and meeting certain additional criteria to connect to the District's System. The District may require a property located in the District's territory to connect to the System if a structure on your property is capable of producing sewage or similar waste and:

- that structure is within 300 feet of the System's main sewer line or
- if your property is on a body of water, then if your property **line** is within 300 feet of the System's main sewer line

a. Connection Exceptions:

However, Indiana law does provide certain property owners who would otherwise be required to connect to the System an optional and limited exemption, if additional conditions are met. There are two exceptions under Indiana law:

1. Indiana Code Section 13-26-5-2.5(b) provides that you, as a potentially affected property owner, may qualify for an exemption from being required to connect to the System if:
    a. you or the previous owner of your property installed a septic system within the last ten (10) years
    b. the septic system was new at the time that it was installed
    c. the septic system was approved in writing by the local health department
    d. you provide the District with your written notice of potential qualification for the exemption and your desire to claim the same **within sixty (60) days of the date of that notice**; AND
    e. you, at your own expense, obtain and provide to the District, within one hundred twenty (120) days of the District's receipt of your written notification of potential exemption, a certification from the local health department (or the department's designee) that your septic system is functioning satisfactorily.

    The initial new septic system exemption is limited to ten (10) years beginning on the date your new system was installed ("**Initial Exemption**"), therefore, if your septic system is more than ten (10) years old, you are not eligible for the Initial Exemption.

    If you qualify for the Initial Exemption, then you may be able to qualify for two (2) additional five (5) year exemptions upon the expiration of the Initial Exemption. However, if you later fail to qualify for any of the previously mentioned exemptions, then you will be required to connect to the System at your expense.

    You will be provided "official notice" in accordance with the above within ten (10) days of the District submitting its final plans to the Indiana Department of Environmental Management ("**IDEM**") for approval and permitting. However, we encourage you to act on this now to avoid any unintended exclusions from the System.

2. Indiana Code Section 13-26-5-2.6 provides that the District may not require you to connect to the System if:
    a. your property, where the structure is located, is at least **ten** (**10**) **acres**
    b. you can demonstrate the availability of at least two (2) areas on your property for the collection and treatment of sewage that will protect human health and the environment
    c. the waste stream from your property is limited to domestic sewage from a residence or business
    d. the system used to collect and treat the domestic sewage has a maximum design flow of seven hundred fifty (750) gallons per day; AND
    e. you, at your expense, obtain and provide to the District a certification from the local health department or the department's designee that your system is functioning satisfactorily

While you may be eligible for an exemption from the connection requirement, there are at least four reasons why connecting your property to the System is still advantageous to you:

1. Property value: The experience in other regional sewer districts has been that the value of real property goes up significantly when the owner connects the property to a public sewer and ceases to use a private septic system.

2. Enhanced quality of life: Persons who rely on septic systems frequently are limited in the amount of water they may use because their septic systems can process only so much flow each day. That limitation, in turn, restricts the use of such conveniences as garbage disposals, dishwashers, and washing machines or the number of people who can occupy a property. Connection to a public sewer system usually eliminates those restrictions and allows the owner to enjoy his or her home to a greater degree or for longer periods of time.

3. Environmental Benefit: The impact of connection on nearby bodies of water is apparent almost immediately. The lakes, rivers, and streams from which we draw our drinking water or in which we fish, swim, and play can become clearer within weeks of a Project's completion.

4. Mitigated costs: Septic systems fail, and exemptions expire. When either situation occurs, you will be required to connect to the System. At that point, you will face significant costs. Those may include the upfront cost to buy a District approved GP, upfront cost to install the system and related equipment, the cost to connect the structure to the System, and the costs to disable and abandon the old septic system. Owners who connect to the System as part of this Project will not have the upfront costs to buy and install the sewer system infrastructure needed for their property. Instead, those costs will be amortized over the years of the bonds for this Project and recovered through the monthly charges billed to users of the System each month. An owner who connects five or ten years in the future may face not only a capacity fee and upfront charges to buy and install a GP and all related equipment, but also could find equipment and labor prices that are likely to be higher than they are now.

6. Request for information

To design an economical system (resulting in lowest possible user rates), the District is asking each property owner to provide as much information as possible regarding the location of existing septic systems, absorption fields, water wells and other underground private utility lines (electric, gas, telephone, communication, water lines, sprinkler lines, etc). Attached you will find a sample sketch that we would like for you to complete and send to JPR at the mailing or email address noted on the attached form.

We also encourage you to reach out directly to the contacts noted below from JPR if you have questions about proposed location of the sewer lines and equipment or have questions about your property utility locations. Your cooperation is very much appreciated. An efficient process for getting this phase of the Project completed dramatically decreases costs, which savings are passed on to you, the customer.

JPR CONTACTS

Steve Henschen
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Email shenschen@jpr1source.com

Denise Ensign
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Email densign@jpr1source.com

The Whitley County Regional Water and Sewer District Board of Trustee meetings are held every third Tuesday of the month at 5:30 p.m. at the Whitley County Government Center, 220 W. Van Buren Street, Columbia City, IN 46725.

Sincerely,

Steve Henschen
Senior Engineer ~ Jones Petrie Rafinski Corp.
Whitley County Regional Water and Sewer District

cc: Board of Trustees, Whitley RSD
Chad Nix, President
Todd Nichols, Vice President
Randall Cokl, Secretary
Mark Pepple
Walt Crowder
Brooks Langeloh
Rudy Wilfong

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-1: WASTEWATER SYSTEM STUDY AND SERVICE AREAS
OVERALL PROJECT STUDY AREA

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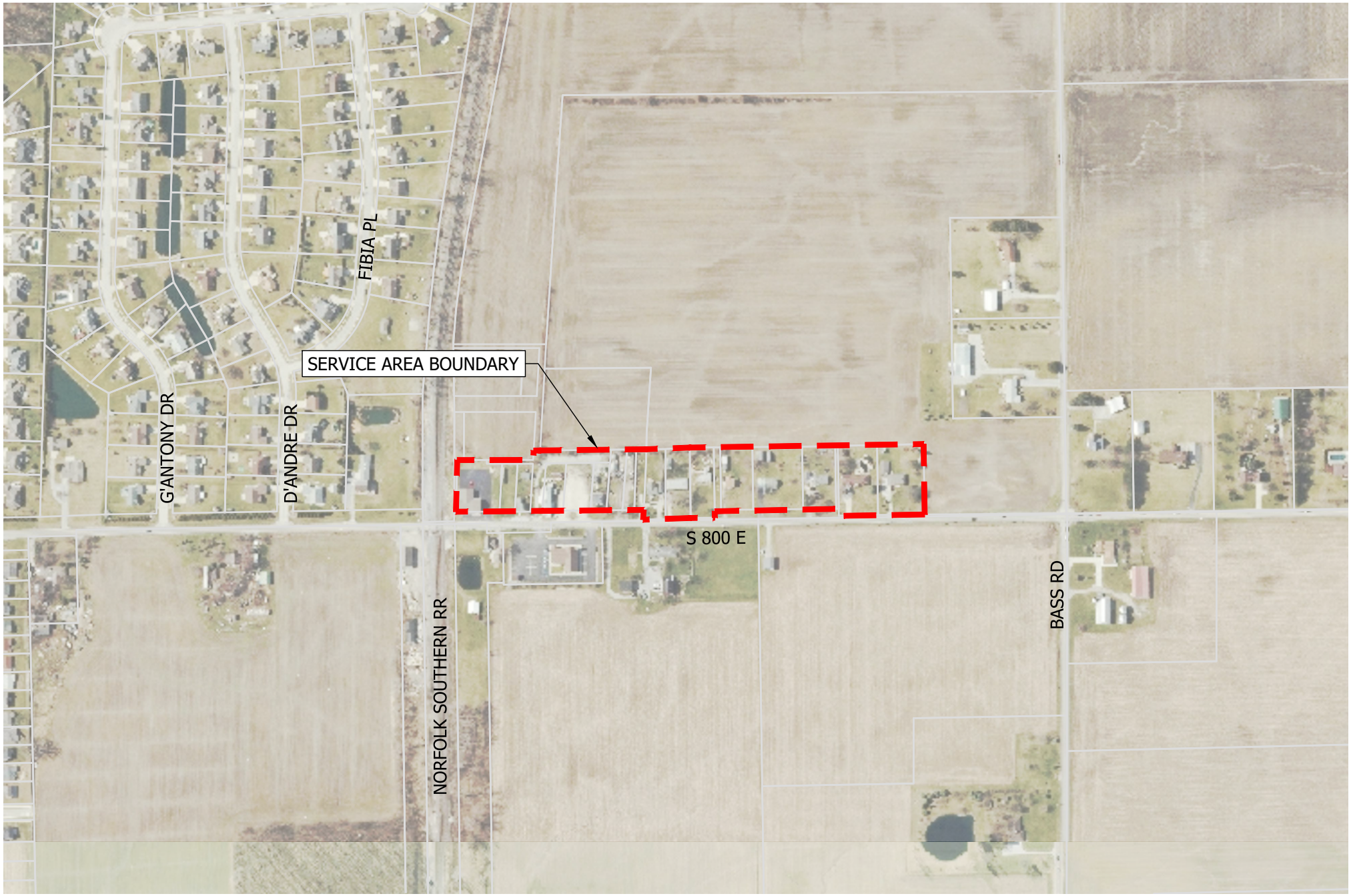
JONES PETRIE RAFINSKI
Elkhart, IN p: 574.293.7762
South Bend, IN p: 574.232.4388
Fort Wayne, IN p: 260.422.2522

Feet
0 3,000 6,000



WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-2: WASTEWATER SYSTEM STUDY AND SERVICE AREAS

DUNFEE

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Feet

0 200 400

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-3: WASTEWATER SYSTEM STUDY AND SERVICE AREAS

COESSE

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Feet

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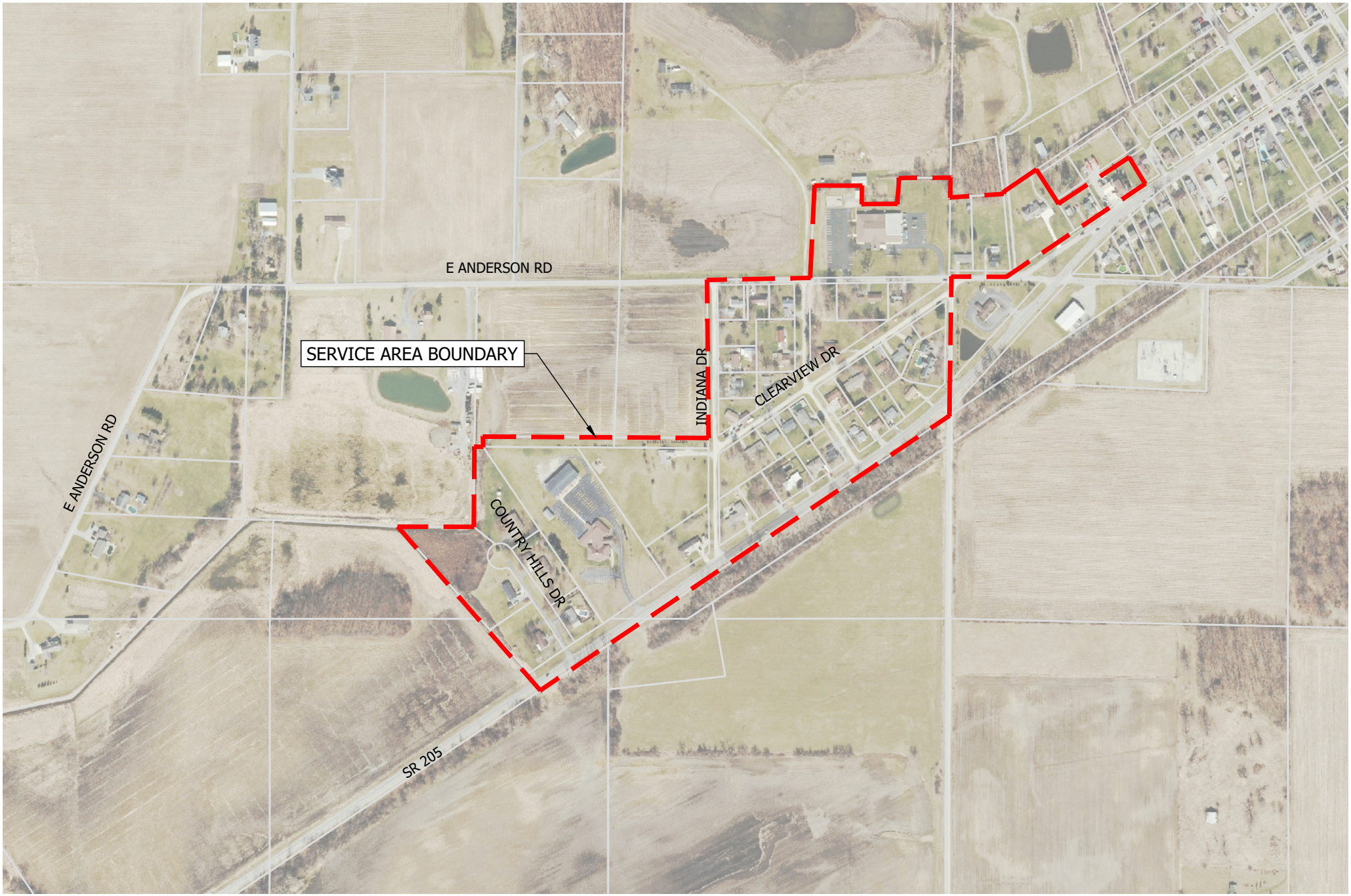

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-4: WASTEWATER SYSTEM STUDY AND SERVICE AREAS
CHURUBUSCO WEST

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Feet
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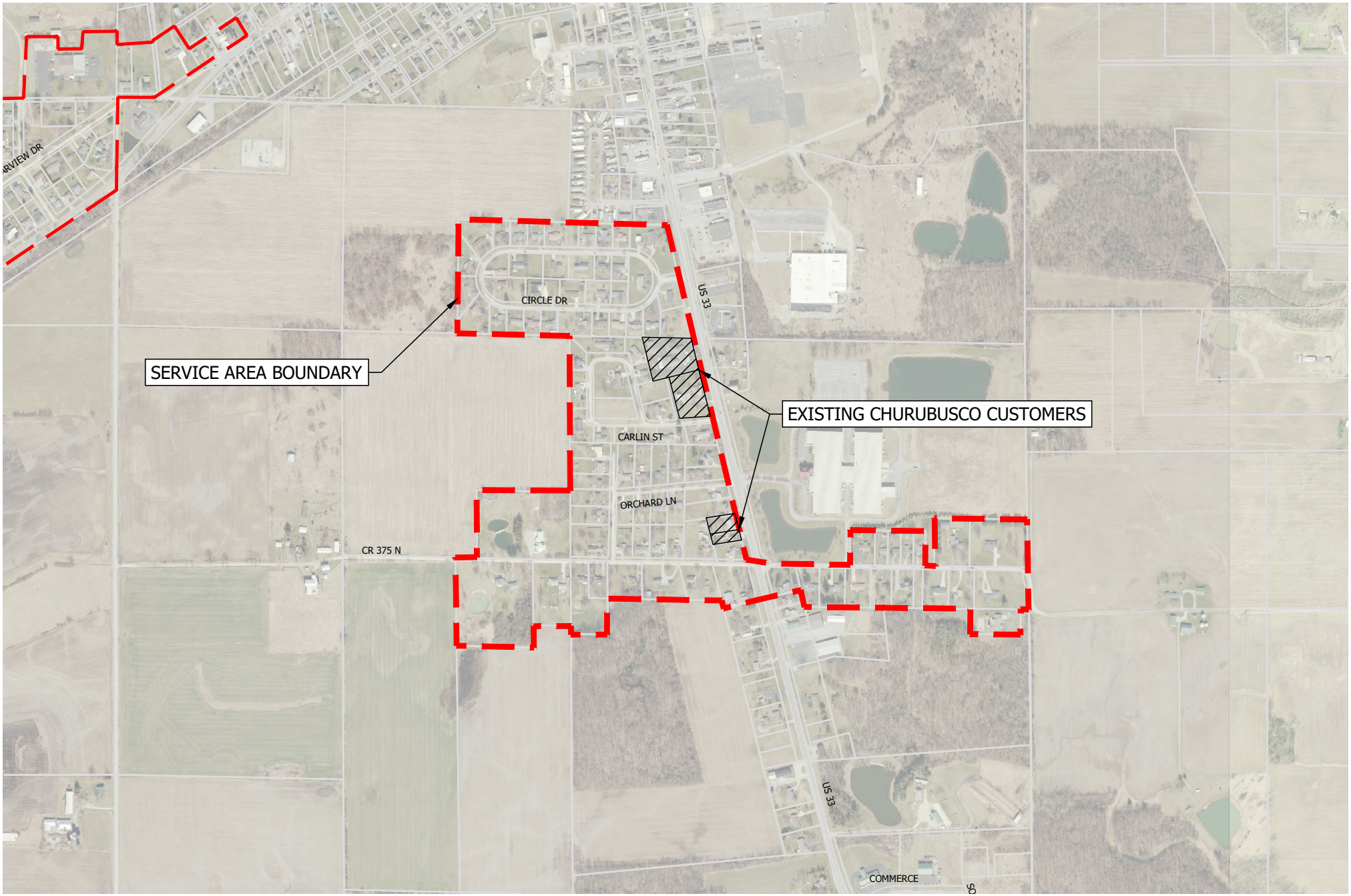

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-5: WASTEWATER SYSTEM STUDY AND SERVICE AREAS
CHURUBUSCO SOUTH

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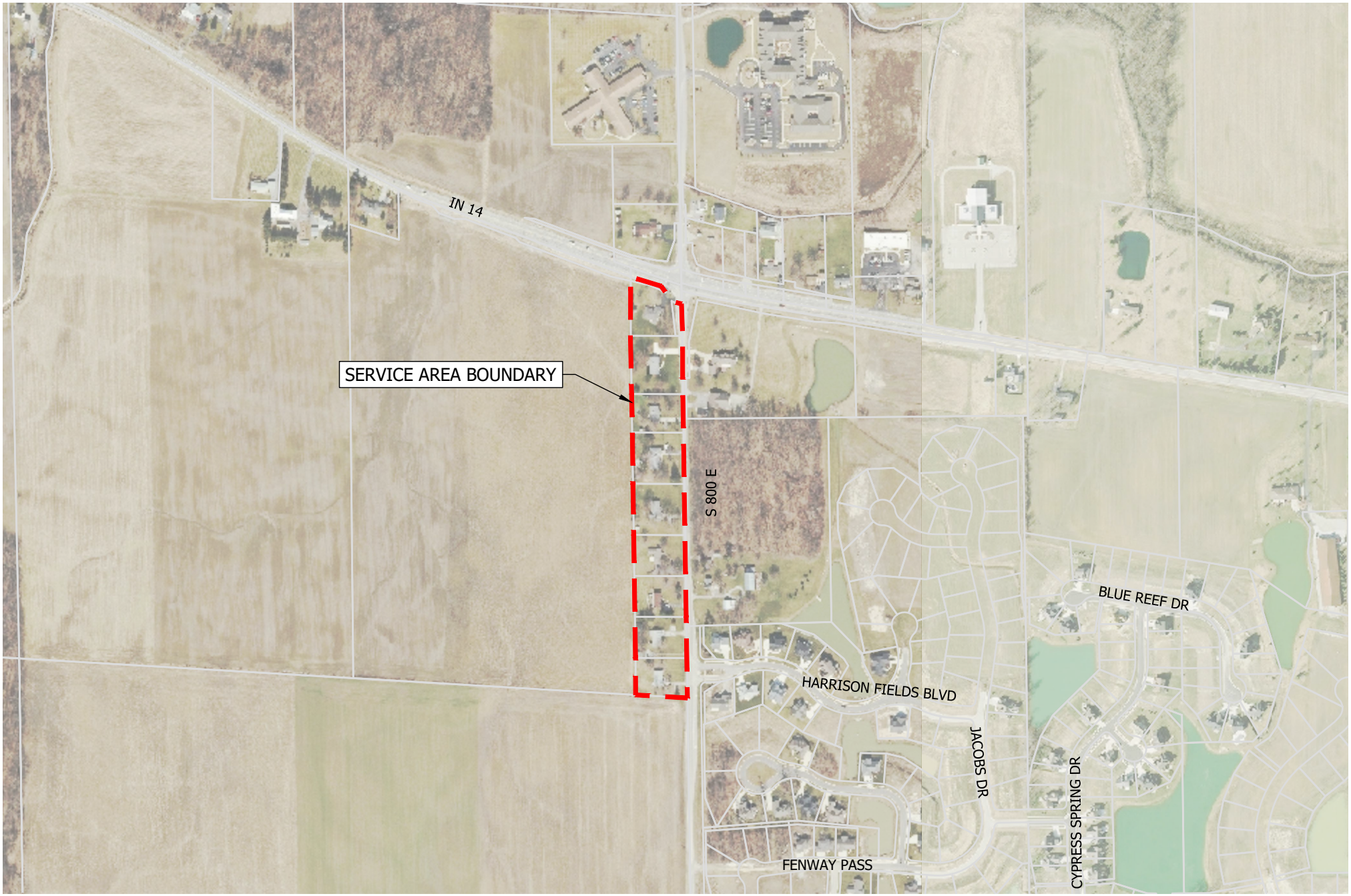

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-6: WASTEWATER SYSTEM STUDY AND SERVICE AREAS
E COUNTY LINE SOUTH

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0 250 500

WHITLEY COUNTY REGIONAL WATER & SEWER DISTRICT

FIGURE 1-7: WASTEWATER SYSTEM STUDY AND SERVICE AREAS

STABLE ACRES

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Feet

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