

**Dearborn County Water Quality Management Plan Update
Advisory Committee
January 24, 2011
Meeting Summary**

ATTENDED BY:

Committee Members:

Randy Turner	Andy Bischoff	Heather Wirth	Duane Drockelman
Mark McCormack	John Grace	Jeff Tucker	Steve Renihan
Rita Cutter	Jennifer Hughes	Jim Deaton	Steve Lampert
John Getzendanner	Mel Davis	Paul Grimsley	Bob Hrezo (for Floyd Ogden)
Steve Canter (For Chuck Hail)	Paul Kunkel (for Mike Rozow)	Tom Orschell	Scott Fortner

OKI Staff:

Travis Miller, Robert Lakeberg, Jane Wittke

Guests:

Jerry Jacobsen, Jim Leslie, Art Wenzel, Frank Kramer

Identifying Wastewater Facility Planning Areas (FPAs) and Designated Management Agencies (DMAs)

Jane Wittke described the purpose and process of identifying Wastewater Facility Planning Areas (FPAs) and Designated Management Agencies (DMAs) as part of water quality management planning. The purpose is to enable planning that is environmentally sound, feasible and cost-effective. She also defined the terms wastewater facility, FPA, DMA and sewer service area to clear up any confusion and help facilitate the meeting discussion:

A wastewater facility is any physical component of a wastewater management system, e.g. sewer lines, lift stations, and treatment plants.

A wastewater facility planning area (FPA) is an area in which wastewater treatment needs and alternatives can logically be evaluated for their environmental soundness, management advantages and cost-effectiveness.

A designated management agency (DMA) is an agency designated to manage aspects of wastewater collection and/or treatment in an FPA, i.e. constructing, operating and maintaining sewer systems and/or treatment plants. In areas with long-established sewer service and multiple providers, multiple agencies may sometimes be designated for wastewater collection, but the expectation is that one DMA will be identified to plan, construct and maintain treatment facilities in each FPA.

A sewer service area is an area served by centralized wastewater treatment, in which sewer lines convey wastewater flows to a centralized treatment plant.

She noted that because sewer service is affected by many factors, including population densities, commercial and industrial land uses, topography, and finances, identifying FPAs and DMAs does not necessarily indicate an expectation that sewer service will be provided throughout the full geographic extent of an FPA, but it does carry the expectation that DMAs will evaluate treatment needs and alternatives and prepare wastewater facility plans for areas that need them.

Travis Miller reminded the group that in addition to the need to address “hot spots” of failing septic tank systems in the county, which had been identified in consultation with the health department, OKI considered population projections and growth in households as key indicators of future wastewater treatment demand in the county when developing draft FPA boundaries. Population and household projections were obtained from the state as required and then disaggregated by OKI, first to traffic analysis zones, then to existing wastewater facility planning areas and proposed facility planning areas.

He distributed a one-page table that summarized for each wastewater management provider the design capacity of existing wastewater treatment plants (WWTPs) and their average daily flow; the acreage associated with their existing FPA (where applicable) and proposed FPA drafted by OKI staff in December; the existing population and households and those projected for 2020 and 2030; and the estimated wastewater flow associated with each, based on an estimated flow of 400 gallons per day per household. He noted that OKI also considered both natural barriers (such as streams and slopes) and manmade barriers (such as major highways) in the initial draft of FPA boundaries presented December 13.

Request Received from the Dearborn County Commissioners

Travis Miller summarized the request received by OKI from the Dearborn County Commissioners for an amendment to the 208 Water Quality Management Plan. The request proposes that a new FPA be created in the northeast corner of the county, generally encompassing the West Harrison Tax Increment Financing (TIF) District, and that the DMA for this area be the Dearborn County Regional Sewer District (DCRSD). The request is due to a new development proposed east of Johnson Fork Road that requires sewer service. Sewage from this new development is proposed to be conveyed to the wastewater treatment plant (WWTP) in the City of Harrison, Ohio through sewer lines to be constructed by the DCRSD.

Because of time constraints associated with the development prospect, the commissioners have requested that an amendment to the existing 208 plan be considered immediately. A legal notice has been placed in the Cincinnati Enquirer and the Dearborn County Register, as well as the Spanish Journal, announcing a 45 day public comment period that will conclude on February 28, 2011. A public hearing on the proposed amendment will be held from 7 to 9 p.m. on February 28 at the Dearborn County Adult Center, 311 West Tate Street, Lawrenceburg, IN 47025.

Jane Wittke briefly described how amendment requests are presented to and considered by OKI, and distributed a list of the steps involved in amending the water quality management plan. She also distributed a list of general criteria for evaluating plan amendment requests, which are essentially the same as the criteria involved in evaluating the issues associated with establishing updated facility planning areas and designated management agencies.

Comments and Concerns Received from Advisory Committee Members

Jane Wittke summarized written comments and concerns received from the Advisory Committee members regarding the initial draft FPA boundaries presented at the December 13th meeting:

--Scott Fortner, Dillsboro's city manager, was concerned that pulling in FPA boundaries would constrain FPA's ability to expand as a town.

--Floyd Ogden, general manager of Valley Rural Utility Company (VRUC), asked why VRUC was not defined as having a planning area; the answer was because its wastewater goes to the South Dearborn Regional Sewer District (SDRSD) treatment plant, VRUC is included in the SDRSD FPA. Floyd also wanted to know where OKI accounted for certificates of territorial authority (CTAs) from the Indiana Utility Regulatory Commission (IURC) in the initial draft FPA map; the answer was that the draft FPA map accounted for the CTA areas based on incomplete information provided to OKI by the IURC in December. Floyd also asked if the proposed FPA boundary delineations would affect the ability of the Dearborn County Regional Sewer District (DCRSD) to provide service to areas inside an FPA for which the DCRSD is not designated as the management agency; the answer was that interlocal agreements can be made across FPA boundaries and within FPA boundaries with the consent of the DMAs involved.

--In a letter signed by utility representatives from several areas (Steve Lampert of Greendale, Randy Turner of Aurora, Mel Davis of Lawrenceburg, Jeff Tucker of LMH Utilities, Scott Fortner of Dillsboro, Paul Grimsley of Moores Hill, and Andy Bischoff of St. Leon), the concept was promoted that five longstanding sewage treatment providers—SDRSD, LMH, Dillsboro, Moores Hill and St. Leon--be designated the majority of the county due to their ability to serve, while specific problem areas in rural areas of the county be designated to DCRSD as FPAs. In addition, Steve Lampert of Greendale suggested new expanded FPA boundaries to the west for the SDRSD.

--Chuck Hail, the chairman of St. Leon's sewer board, expressed concern that the DCRSD could be designated to make centralized wastewater service decisions in areas of northeast Dearborn County where the Town of St. Leon has invested significant capital and has received federal assistance to build improvements.

--Steve Renihan, chairman of the DCRSD board, expressed that the DCRSD did not feel that significant expansion of the South Dearborn Regional Sewer District FPA was appropriate as the DCRSD was created by order of the Dearborn County Commissioners to serve the unincorporated areas of the county.

Work Session on FPA Boundaries and Designated Management Agencies (DMAs)

Representatives from each wastewater service provider were asked to expand on their comments to OKI, and to provide suggestions.

Representatives from Dillsboro, Moores Hill, St. Leon and South Dearborn Regional Sewer District all stated that their FPA boundaries should be expanded to include areas that would fulfill their current design capacities, and asked about the basis for OKI staff's draft updated FPAs.

Jane Wittke and Travis Miller explained that the initial draft FPA boundaries had been based on OKI staff projecting centralized sewage treatment needs in the next 20 years. The projected needs were based on water quality considerations, forecasted population and land use changes, and by identifying the providers most likely able to provide service based on information from interviews with them in the summer, such as information about their existing facilities and operations, their desired improvements and sewer line extensions, and the financial and technical resources available to them. They emphasized that the providers identified as designated management agencies (DMAs) in the Water Quality Management Plan Update should be committed to evaluating, planning and pursuing funds for addressing the sewer needs of their respective FPAs.

Scott Fortner from Dillsboro requested that the proposed Dillsboro FPA be expanded. He said that recent plant capacity expansion was intended to serve future development needs, and that extending the Dillsboro FPA to the eastern Clay Township line and south along Arlington Road and Route 262 would cover several key areas for which the town was planning.

Paul Grimsley from Moores Hill said that Moores Hill would like to ensure that their FPA extends east to Bloom Road along Route 350, which is an expected growth area. He added that the South Dearborn Regional Sewer District FPA should expand to encompass more of the 350 corridor and suggested the two FPAs should touch. He also stated that the area to the north of Moores Hill, toward Livingston Road, is a future growth area.

Randy Turner from the City of Aurora pointed out that expansion of sewers westward from Aurora along the Route 350 corridor would go beyond the City's water service area, which is a concern because the City would then have no ability to shut off water service for nonpayment of water or sewer bills, i.e. to encourage payment.

Steve Lampert commented that the FPA currently proposed for SDRSD does not come close to fully utilizing the capacity currently available for treatment at the SDRSD plant, and that expanding SDRSD's FPA toward the northwest would be more consistent with their treatment capacity.

Mel Davis said that expanding along Route 48 to Manchester was a priority, that Manchester had approached them to express interest, and that in his opinion service extension to Manchester would likely be done within the next 20 years.

Jeff Tucker from Logan-Miller-Harrison Utilities (LMH) noted that while he had no concerns about the FPA initially proposed for LMH based on topography and geography, LMH has existing sewer lines that go through "hot spots" or areas of failed septic systems, but no authority or means to require connection to the sewer system. He observed that the DCRSD has that authority. He also provided an example of an interlocal agreement between LMH and the DCRSD which affects a small area and requires billing two different rates in LMH's system, creating an administrative headache, although LMH has been willing to provide the service to the small area because they have the nearest treatment plant.

Randy Turner commented that the interlocal agreement between the DCRSD and the City of

Aurora for Cole Lane has worked well, but expressed concern about the amount of debt service that may be required by the DCRSD for the Hueseman Road interlocal agreement.

Andy Bischoff and Steve Canter of St. Leon expressed concern over the plan amendment being requested by the county commissioners, in which the DCRSD would become the designated management agency for the northeast portion of the County containing the West Harrison Tax Increment Financing (TIF) district. Steve Canter requested that if the county is going to sewer this area that the sewage is sent to the St. Leon treatment plant as opposed to the Harrison plant.

Steve Canter said that St. Leon has planned to serve this area based on discussions with County officials over recent years, and has assumed serving this area in planning for treatment plant expansion and sewer line extensions. He explained that Mr. Stone had extended a sewer line under the Whitewater River and a lift station to serve his property and that in long range planning St. Leon had anticipated serving the area along U.S. 52.

He commented that St. Leon is not opposed to the DCRSD having a collection system in this area to convey sewage to be treated by St. Leon. He also presented a map depicting the area that St. Leon would suggest for their FPA, including the northeast portion of the County and the New Alsace area; the map showed the Yorkville area as an optional portion of the FPA.

Steve Renihan and Bob Hrezo explained that the DCRSD had evaluated the cost of doing the project in the eastern part of the West Harrison TIF with either St. Leon or Harrison, and that it was more cost effective to go with Harrison as a treatment provider because St. Leon had requested that DCRSD pay a \$2 million capacity fee in addition to the cost of constructing the sewer lines, and that the City of Harrison was not requiring a capacity fee. Steve Renihan said that the rates that would be charged by St. Leon and Harrison were very similar, and when questioned, noted that potential future development west of Johnson Fork Road could possibly be serviced by St. Leon if an agreement could be reached. After Steve Renihan noted that St. Leon had a forced hook-up policy because of its funding sources, whereas the DCRSD does not require forced hook-ups, Steve Canter of St. Leon commented that if the DCRSD owned the sewer line, the St. Leon forced hook-up requirement wouldn't apply and connections would be up to DCRSD.

Steve Renihan said that the DCRSD was not concerned with territory but with solving problems, as they have been doing through inter-local agreements with other providers. He stated that the objective of the county was not to increase treatment capacity unnecessarily, but rather to put lines in the ground to increase use of existing treatment capacity. He also said that ensuring the affordability of service to customers is important. In response to questions, he said that the DCRSD has not been able to obtain seats on the boards of other wastewater management providers without paying cost-prohibitive capacity charges, so that interlocal agreements have been their way of working with the other providers.

Additional comments were made after each wastewater management provider had a chance to speak. Mark McCormack brought up the importance of differentiating among different sources of wastewater, so that potentially larger commercial or industrial contributors are accounted for in future capacity projections. Jane Wittke explained that the estimated Equivalent Residential

Units (ERUs) were based on 400 gallons per day per household, a figure that allows for a healthy margin or cushion that can be applied toward commercial and industrial growth.

Jeff Tucker observed that creating large FPAs to be served by the DCRSD could give too much control to one entity, especially as that control applies to economic development. He commented that while he had no issues with the current DCRSD, as leadership and directions change on the DCRSD board and at the County level, there is the possibility that the DCRSD could be either too restrictive about areas served or too ambitious, such as by constructing what some might consider an overabundance of package plants. Frank Kramer, legal counsel for DCRSD, then commented that while DCRSD's board includes representatives from rural unincorporated areas, SDRSD's board does not include such representation, and if expansion to rural areas is planned this representation should be considered.

Approach to Community Outreach from January to March, 2011

Travis Miller explained next steps: OKI staff will revisit the initial draft FPA map based on comments from the committee, and then post a revised draft on the County's website along with other revised draft materials for public review. The availability of these revised draft materials will be announced as widely as possible, and an outreach effort will be conducted around the County through March.

Members of the Advisory Committee were asked to help spread the word about the plan update process, the draft materials and opportunities for public comment to their communities and organizations, and a one-page double-sided summary about updating Dearborn County's Water Quality Management Plan was distributed to aid in that effort. Advisory Committee Chair Jim Deaton will be available to make announcements and brief presentations for community organizations and events, as will OKI staff within budget constraints. The feedback from community outreach will then be shared at the April 11th advisory committee meeting, so that modifications can be considered as needed before a public meeting on the plan update that is scheduled for May 9.