

**HOBART SANITARY DISTRICT BOARD OF COMMISSIONERS
HOBART STORM WATER MANAGEMENT DISTRICT BOARD OF DIRECTORS
JOINT RESOLUTION No. 2016-01**

A Resolution Establishing a Cost-Sharing Program for Users Affected by the Low Pressure Sanitary Sewer Project

WHEREAS, the Board of Commissioners (“Board”) of the City of Hobart Sanitary District (“District”) and the Board of Directors of the City of Hobart Storm Water Management Department (“Department” and collectively, “Districts”) which are comprised of the same persons pursuant to law, has jurisdiction over and acts as governing body for the District and Department; and

WHEREAS, the Board has jurisdiction over waste water collection and treatment within the area comprised by the Hobart Sanitary District and over storm water management within the City; and

WHEREAS, on May 13, 2015, the Board authorized the letting of contract for the construction of a low-pressure sanitary sewer system project to serve the area of the Districts including Michigan Avenue, Kelly Street and East Cleveland Avenue; and

WHEREAS, the project consists of the installation, at each affected home, of a grinder pump that will be connected by a pipe approximately 1¼ inches in diameter to a 2 inch diameter low pressure sewer main installed in the street; and

WHEREAS, the Board undertook the project to address the contamination of storm water discharges in the area by untreated sewage due to the high incidence of failed septic systems and the unavailability of an existing sanitary sewer; and

WHEREAS, the Board has determined that assessing new users of the Sanitary District in this area for the full cost of the project, including tap-in fees, would be prohibitively expensive, and that a cost-sharing arrangement with the effected residents of this area ought to be established in order to assure participation by residents in these improvements which have been made necessary by the Districts’ duty to safeguard the public health; and

WHEREAS, the Board has been advised that the laws of the State of Indiana allow the Districts to adopt a resolution authorizing the Board to provide financial assistance, including grants, to property owners to install improvements for one (1) or more of the following purposes: (1) To regulate or prevent discharge into private dwellings; (2) To prevent the pollution of streams or bodies of water; (3) To reduce or ameliorate inflow and infiltration in sewage works; and (4) To remedy or prevent a menace to the public health and welfare (I.C. §36-9-25-42(a)); and

WHEREAS, the Board must impose a rule under the above-cited statute that a grant or other financial assistance provided by the Board may not exceed eighty percent (80%); and (B) the property owner that receives the financial assistance must pay for at least twenty percent (20%) of the total anticipated cost of the project for which the financial assistance is provided(I.C. §36-9-25-42(b)(4)); and

WHEREAS, the Board desires to establish such program for residents in the affected area of the low-pressure system described above, only, and through this Resolution, prescribes Rules and Regulations governing such program.

THEREFORE, BE IT RESOLVED by the joint Board of Commissioners of the City of Hobart Sanitary District and Board of Directors of the City of Hobart Storm Water Management Department, that:

1. There is hereby established a Cost-Sharing Program for Residents Using the Low-Pressure Sanitary Sewer System (“Program”). This Program is not applicable to any other sanitary sewer users of the Hobart Sanitary District.

2. The Board finds and declares that the financial assistance to be provided in the form of a cost-sharing Program will accomplish:

- a. The regulation or prevention of discharge into private dwellings;
- b. The prevention of the pollution of streams or bodies of water;
- c. The reduction and amelioration of inflow and infiltration in sewage works; and
- d. The remediation and prevention of a menace to the public health and welfare.

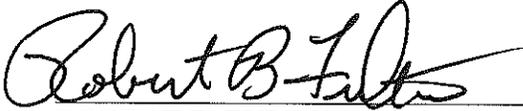
3. The Board anticipates that the costs associated with providing the financial assistance will be less than the financial burdens potentially incurred if the financial assistance is not provided.

4. The Board further finds that providing financial assistance as described in section 5 below is necessary to avoid or reduce additional financial burdens.

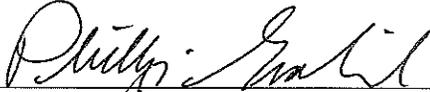
5. Each property owner whose property is newly joined to the low-pressure sanitary sewer system described in this Resolution shall be entitled to receive financial assistance by the Districts as follows: The Districts shall pay for eighty percent (80%) of the total cost of labor and materials to install the elements of the low pressure sanitary sewer system upon the property owner’s property and to make same operable, including the cost of the District’s tap-in fee. The remaining twenty (20%) shall be paid by the property owner, in full, upon execution of Financial Assistance Agreement documents and prior to commencement of work. It is expected that the approximate total cost of installation of the system and tap-in for a single residence is \$11,205.00. The amount of such cost payable by the property owner would be approximately \$2,241.00,

6. Failure of a property owner to pay the entire share of said cost when due shall result in the imposition of a lien upon the owner’s property in the manner prescribed by law. Such lien may be foreclosed at the discretion of the Districts.

ALL OF WHICH is adopted as the Resolution of the joint Board of Commissioners of the City of Hobart Sanitary District and Board of Directors of the City of Hobart Storm Water Management on this 9th day of March, 2016.



ROBERT B. FULTON, President

ATTEST: 

PHIL GRAJIK, P.E., Secretary