

BOARD OF SANITARY COMMISSIONERS
MUNCIE SANITARY DISTRICT

DECLARATORY RESOLUTION NO. 2013-18

A Declaratory Resolution of the Board of Sanitary Commissioners of the Muncie Sanitary District determining to construct certain additions and improvements to the sewage works of the Sanitary District and other matters related thereto

WHEREAS, the Board of Sanitary Commissioners (the "Board") of the Muncie Sanitary District (the "Sanitary District") of the City of Muncie, Indiana (the "City"), operating pursuant to Indiana Code 36-9-25, finds after investigation of the Sanitary District's sewage works that there are areas identified in the reports filed with the Board being polluted by the discharge of sewage, drainage, or other harmful matter and that it is necessary for the public health and welfare and will be of public utility and benefit to undertake the construction of certain additions and improvements to the sewage works of the Sanitary District as more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Project"); and

WHEREAS, the estimated cost of construction of the Project, based upon estimates of the engineers for the Sanitary District, and including incidental expenses is \$1,250,000; and

WHEREAS, the Board finds that the Project shall be financed by the issuance of revenue bonds of the Sanitary District and, if necessary, bond anticipation notes, and that the costs of the Project to be financed thereby shall not exceed \$1,250,000; and

WHEREAS, the Board has caused to be prepared general plans, maps, specifications, drawings, details, descriptions and estimates for the Project, including plats showing the general scope of the Project and the location and bounds of all real property considered necessary to be acquired or removed, or that would be injuriously affected in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SANITARY COMMISSIONERS OF THE MUNCIE SANITARY DISTRICT THAT:

Section 1. The Board hereby preliminarily finds and determines that it is necessary for the public health and welfare and will be of public utility and benefit to construct the Project, together with the necessary appurtenances, related improvements and equipment, and the incidental expenses in connection with the Project. The Board will proceed with the construction of the Project in accordance with the reports and plans heretofore prepared by the consulting engineers of the Sanitary District, which reports and plans are on file with the Board and are hereby approved and adopted. The reports and plans for the Project are open to public inspection in the office of the Sanitary District.

Section 2. The Board hereby determines to take all actions necessary to cause the issuance of revenue bonds of the Sanitary District and, if necessary, bond anticipation notes to pay for all expenses in connection with the construction of the Project and incidental expenses

incurred in connection therewith, including costs of issuance of the bonds and, if necessary, bond anticipation notes.


Section 3. The estimated costs of the Project and incidental expenses incurred in connection therewith, including costs of issuance of the revenue bonds and, if necessary, bond anticipation notes, for the Project will not exceed One Million Two Hundred Fifty Thousand Dollars (\$1,250,000). Such bonds and, if necessary, bond anticipation notes, may be issued collectively with bonds and, if necessary, bond anticipation notes, to be issued by the Sanitary District to finance and/or refinance the costs of other approved projects of the Sanitary District.


Section 4. On May 2, 2013, at 10:00 a.m. in the City Hall, in the City of Muncie, Indiana, the Board will meet and will receive and hear remonstrances from persons interested in or affected by such proceedings and will take final action to determine the public utility and benefit of the proposed Project and will confirm, modify and confirm, or rescind this Declaratory Resolution. Notice of such public hearing shall be published in accordance with Indiana Code 5-3-1 and Indiana Code 36-9-25-18.


Section 5. This Declaratory Resolution shall be in full force and effect from and after its passage and shall be filed with and be open to the public for inspection at the office of the Sanitary District.

Adopted this 18th day of April, 2013.

BOARD OF SANITARY COMMISSIONERS
SANITARY DISTRICT OF THE
CITY OF MUNCIE, INDIANA



President




ATTEST:



Recording Secretary

EXHIBIT A

Description of Project

CSO 001 Separation Project

The Project includes the complete separation of combined sewers in the drainage area identified as CSO 001 of the MSD Collection system. This is the most upstream CSO in the White River of the MSD Combined Sewer Outfalls and has an active Diversion Structure located on the south bank of the White River near where Luick Avenue terminates at the River. The Diversion Structure sends the low flow wastewater to the White River Interceptor via a 15” diameter relief sewer. The wet weather flows rise up and over a weir to an 18” diameter sewer that outlets into the nearby White River. This 18” outfall has a flap gate on the end of the pipe. The CSO 001 Basin consists of approximately 20 acres in size and includes several single-family home neighborhoods and a manufactured home park.

Alternatives to be considered for the separation of CSO 002 include construction of new sanitary sewers or construction of new storm sewers or a combination of both. For planning purposes, any new sanitary sewers would be connected to the existing 15” relief sewer and any new storm sewers would be directly discharged to the nearby White River. A pre-design study will determine the best and most cost-effective separation option of this CSO Basin. The project estimated cost was developed assuming separation by installing new sanitary sewers and leaving the remaining combined sewer to be utilized as a storm sewer.