

MARSHALL COUNTY REGIONAL SEWER DISTRICT

MCRSD Email: Questions@Marshallcountyrsd.com

MCRSD Phone Number: 574-200-0049

March 24, 2025

FREQUENTLY ASKED QUESTIONS

The Board of Trustees of the Marshall County Regional Sewer District (MCRSD) is pleased to provide the following information, for the purpose of helping all landowners and residents within its' "Priority Service Area #1" learn and understand as much as possible regarding the public sanitary sewer system that is currently in the planning and design phase.

The information provided herein has been assembled by a combination of the several Professional advisors that are in the MCRSD's employ, the MCRSD Board of Trustees itself, as well as other local, state, and federal government agencies.

I. Why is a community sewer system being built?

Current local & non-local regulations specific to the construction, repair, and eventual replacement of private on-site 'conventional' septic systems are a challenge for many homeowners within the project area. Poorly functioning systems can lead to issues with surface water as well as ground water. The homes in this area also rely on private on-site potable water wells and there are many of these within the study area that are not at least 50 feet away from existing septic systems, as required by IAC 410 and enforced (generally) by the Marshall County Health Department.

After looking at the statistical data specific to the project area, as well as several other densely populated unincorporated areas within Marshall County, both Marshall County and the Indiana Department of Environmental Management decided to create the MCRSD, which is a local government entity managed and supervised by a Board of Trustees. The members of this board are appointed to serve multi-year terms by a combination of several existing local government entities within Marshall County, such as the County Commissioners, County Council, The City of Plymouth, etc.

As a Regional Sewer District in Indiana, the MCRSD has legal authority to compel connection to any community wide sanitary sewer collection systems that it owns and operates. Because the MCRSD has no taxing authority, any/all activities it undertakes must be paid for via user rates it charges to those landowners it serves, or that it will serve.

II. What is the current overall condition of existing soils & private septic systems within the PSA1 project area?

Current public records indicate the existence of about 601 occupied dwellings within the PSA1 service area. Of these existing homes, 396 have undocumented septic systems. (66%)

73% of the soils within the PSA1 service area are either "very limited" or "unusable" according to the USDA, and the entirety of the remaining 27% are considered "slightly limited," with respect to the installation/operation of a private on-site septic system.

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III. **I believe that my septic system is in proper working order due to its' age and/or condition. Can I be exempt?**

Indiana law provides certain property owners who would otherwise be required to connect to a sewer system an optional and limited exemption, if additional conditions are met. More specifically, Indiana Code Section 13-26-5-2.5(b) provides that you, as a potentially affected property owner, may qualify for an exemption to being required to connect to the District's system if:

1. The septic tank soil absorption system was new at the time that it was installed;
2. The septic tank soil absorption system was approved in writing by the local health department;
3. You must provide the District with a written notice of potential qualification for exemption and your desire to seek the same within sixty (60) days of your receipt of a **notice to connect** being provided to you by the MCRSD.
 - You, at your own expense, must obtain and provide to the District, within one hundred twenty (120) days of the District's receipt of the **written notification of potential exemption** mentioned above, a written certification from the Marshall County Health Department (or the department's designee) that the private septic system is not failing pursuant to Indiana Law. *(there may also be private providers of qualified inspections for this purpose, and if so, the Marshall County Health Department may have contact information for the same available)*
4. If granted, an initial septic tank soil absorption system exemption is limited to ten (10) years beginning on the date of the written determination that the septic tank soil absorption system is not failing ("Initial Exemption"). If you qualify for the Initial Exemption, then you may be able to qualify for two (2) additional five (5) year extensions, upon the expiration of the Initial Exemption. If, at any time, you fail to comply with any of the previously mentioned requirements, then you will be required to connect to the District's sewer system.
5. After the proposed collection system for the PSA1 area is built and ready to receive wastewater, the MCRSD will finalize its' customer connection permitting process, and you will be given specific formal notice by mail of your legal obligation to connect to the system, the expected timeframe within which you must do so, and the connection exemption rights discussed herein.

Current applicable statute also allows for what's generally referred to as a "10 Acre Exemption," which was created to allow certain larger properties that happen to lie within the boundaries of a proposed (or existing) public sanitary sewer collection system a slightly easier "path to exemption," for obvious reasons. Accordingly, any property that is 10 acres in size or larger may also qualify for an exemption to connection if:

1. The owner can demonstrate the availability of at least two areas on the property for the collection and treatment of sewage that will protect human health and the environment; and

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2. The waste stream from the property is limited to domestic sewage from a residence or business; and
3. The system used to collect and treat the domestic sewage has a maximum design flow of seven hundred fifty (750) gallons per day; and
4. The owner, at the owner's expense, obtains and provides to the District a certification from the Marshall County Health Department (or the department's designee) that the system in question is functioning satisfactorily.
5. The 10 Acre exemption does not have a timeline to apply, however the **10 acres must consist of one tax parcel only** and adjacent commonly owned parcels cannot be arbitrarily combined to total 10 acres. You can, however, utilize the existing subdivision process as administered by the Marshall County Planning & Zoning department to combine your parcels, assuming that doing so is geometrically possible and permissible via the Marshall County Subdivision Control Ordinance and certain requirements within the Marshall County Zoning Ordinance. Should that be the case, you would likely have to engage the services of a Professional Land Surveyor licensed by the State of Indiana to accomplish the same.

Marshall County Subdivision Control Ordinance:

<https://permits.schneidercorp.com/branding/marshallcountyin/Marshall%20subdivision%20adopted%20ordinance%20amended%207-6-09.pdf>

Marshall County Zoning Ordinance:

<https://permits.schneidercorp.com/branding/marshallcountyin/Marshall%20County%20Zoning%20Ordinance%20February%202021.pdf>

IV. **What are the benefits of having my home/business connected to a public sanitary system? (even if my property meets the qualifications for exemption?)**

Generally, there are multiple positive impacts on both individual properties, and the community at large, when a public sanitary sewer system is constructed and utilized.

- Connection to a community wide (public) sanitary sewer collection system eliminates the possibility of private on-site septic system failure that must be immediately addressed, entirely at the expense of the property owner.
- The permanent dedication of significant areas within any particular tax parcel to the septic system, and its reserve area, no longer exists.
- Home improvements, such as adding additional bedrooms, bathrooms, etc., are no longer subject to capacity limitations associated with private on-site septic systems. Also, areas formerly

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dedicated to the septic system and its' reserve area can then be utilized for accessory buildings, sheds, pole barns, swimming pools, additional parking, etc.

- The possibility of a private on-site septic system, whether it is functioning or not, directly releasing wastewater to either the ground water below it, or to nearby surface water bodies, is eliminated.
- The inability in certain areas to maintain the required 50' isolation radius between private drinking water wells and on-site septic systems, and the regulatory and environmental concerns that exist as a result, are dramatically reduced and/or eliminated.
- Negative impacts on home/property values due to failed or poorly functioning septic systems on an individual property basis, or due to poor soil conditions and/or shallow groundwater depths on a neighborhood wide basis, are prevented/eliminated.

V. **What am I going to have to do and how much will it cost?**

All occupied dwellings, businesses, or other buildings within the service area will be provided service via a dedicated (non-shared) grinder station. Home or building owners will be required to provide the grinder station that serves their home or business with power, and will also have to connect their home or business to the collection system, by way of a gravity service 'stub' that will be installed by the public project during its' construction. We will strive to place these connection 'stubs' in a location that is as convenient to connect to as possible, but it should be expected that some connections will be 'easier' or 'simpler' than others due to existing development patterns and existing topography and geometry.

At the time that a property is installing such a connection, the property owner will also have to abandon the existing septic tank to meet applicable Indiana State Department of Health & Marshall County Health Department standards. This includes pumping out the tank, crushing the lid and filling it with an approved backfill material. (to render it useless) In some cases, the entire existing septic system may be removed as well, depending on a combination of particular circumstances and the goals of the landowner.

It is reasonable to assume that any new connection to the public sanitary sewer system could cost several thousand dollars, but it should be significantly less than the cost of a new septic system.

VI. **What specific aspects of the new sanitary sewer collection system are going to be built on or near my property?**

The installation of a grinder station, and its' control panel will be visible on or near your property, similar to other types of public utility infrastructure. (please see picture of an example grinder station installation on the following page) Generally, the grinder station's lid will exist about 4-6 inches above grade, and the control panel will be installed on a treated 4x4 post within several feet of it and will be between 3-4 feet above grade.

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VII. Where will the new grinder station that's planned to serve my home or business be located?

As previously stated, the MCRSD, through the design Engineer, will spend every effort needed in order to try and place the new grinder station, and future connection 'stub,' in as convenient of a location as possible, with respect to future connection. We will be reaching out to landowners, meeting with them, and otherwise interacting with them as much as possible as part of this effort.

That being said, it should be understood by all residents of the PSA1 service area that because the neighborhoods involved are already developed, and have been for many years, and because the new grinder stations must also be in locations that are easily accessible for future operation and maintenance related purposes, that a convenient or "easy," location will not be possible for everyone.

For example, no new grinder station within the sanitary sewer collection system project being designed and built to serve the PSA1 area will be located more than 10 feet from the roadway right of way that is nearest the home or business to be served. There are many reasons for what some may consider a "strict design parameter," including, but not limited to the following:

1. To make future operation and maintenance of the system is as efficient as possible, i.e., that access to the grinder station is as simple as possible.
2. To ensure that long service lines, etc., are not made part of the public project, and thus paid for by 100% of the future customers, and are instead the responsibility of the landowner that owns the parcel in question.
3. To minimize the public project's impact on private property, as much as possible, and wherever possible, throughout the project area.

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Example Picture of a recently installed new grinder station.

VIII. Why do I need to sign an easement?

The easement grants permission to the MCRSD to (1) install the grinder station initially and (2) to come onto your property to maintain or repair it in the future. As part of your future monthly bill, you are paying for this service, which will be available 24 hours a day, 7 days a week, and 365 days a year.

Additionally, your willingness to grant this easement also provides a bit more flexibility with regard to placement of the future grinder station, which may also result in cost savings associated with the actual connection itself, depending of course on-site specific circumstances.

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IX. What if I don't sign the easement?

If you are unwilling or unable to convey an easement to the MCRSD as part of this project, then the grinder station to be installed specific to providing service to your home or business may not be located in the most logical or convenient location. Or, in the event that specific site details prevent that scenario, the MCRSD may then choose to seek conveyance of the needed easement via "eminent domain" (i.e., condemnation of that portion of your property upon which the future grinder station is to be placed)

Either way, this would be a less than an ideal situation that will result in the overall project expenses increasing, thereby also having an impact on the future monthly rates to be paid by all landowners within the PSA1 service area.

X. I'm only on the lake for 2 months a year. Why do I have to pay every month?

The proposed sanitary sewer collection system will be charged for via a flat monthly fee, per occupied dwelling. This is the most cost-effective manner in which to provide this critical service and doing so in this way prevents the MCRSD from having to incur the significant expenses typically associated with a metered volumetric type of service charge, where monthly rates are based on the volume of wastewater generated. (the cost of installing, monitoring, repairing, and replacing flow meters for every customer on the system, in other words)

Additionally, if the MCRSD allowed for some sort of lower rate to be charged whenever a home was not occupied due to circumstances like those suggested by the question above, that would only serve to cause the rates when the property in question was occupied to be higher, because (1) under any scenario it is the entire cost of construction, operation, maintenance, and debt service that must be covered via monthly rates, and (2) the actual cost of administering some process by which the MCRSD was able to verify a particular home's occupancy continuously throughout any given year would then have to be accounted for within the rates being charged.

XI. When will construction start?

The current project timeline anticipates a start of construction sometime in 2026. This is dependent on multiple factors that are not within the direct control of the MCRSD, any of its agents or Professional advisors, and will be monitored and updated on a fairly regular basis as the project's planning and design phase continues to proceed.

XII. How long until the construction project is finished?

It is currently anticipated that the project's construction period should take around 2 years, (2 full construction seasons). When construction nears substantial or final completion, the MCRSD will establish the customer connection period and additional mailings will be sent out with related information for all PSA1 project area landowners.

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XIII. Are there any funding programs available to assist low-income households to connect?

The USDA's Rural Development section maintains a single-family housing repair loan and grants program (Section 504 Home Repair). A property owner would have to apply for this themselves.

Applicants to this program must be the homeowner, occupy the house on a full-time basis, be unable to obtain affordable credit elsewhere, and have a household income commensurate with applicable requirements.

When an applicant is seeking grant funds in addition to or as opposed to a low or zero interest loan, they must also be 62 years of age or older.

XIV. Will Vacant Lots be served?

No, vacant or empty lots are not being planned for service by the initial public sanitary sewer collection system.

If you are an owner of such a parcel, the parcel is 'buildable' pursuant to Marshall County regulatory requirements, and you already have definite (and documented) plans to build an occupied dwelling or business upon it immediately after the new sanitary sewer collection system is available, we would ask you to please contact the MCRSD or it's Engineer as soon as you are able. We can plan for these types of situations ahead of time, but only if we are made aware of them and if certain other specific circumstances allow for the same.

XV. Will the MCRSD also be providing the residents/landowners within PSA1 with municipal water?

There are no plans, immediate or otherwise, to install a community wide (potable) water supply system. The construction and eventual operation of a public sanitary sewer collection system should help reduce or assuage concerns with regard to private water wells that exist in the area, and could enable the reconstruction of any wells that are already poorly performing due to shallow depths, or due to close proximity to existing septic systems.

XVI. Will this project move forward if no grant funding comes through?

At present, the MCRSD, and its' Professional advisors, remain collectively confident that a funding package will be available when the project's design is complete, and the public bidding process has taken place.