

Marshall County Regional Sewer District Board Meeting Minutes

Marshall County Building – 112 W. Jefferson Street, Room 203, Plymouth, IN 46563

The Marshall County Regional Sewer District Board met in a special session on Wednesday, June 25, 2025, at 9:00 AM at the Marshall County Building located at 112 W. Jefferson Street, Room 203, 2nd Floor, Plymouth, IN 46563.

MEETING ATTENDANCE: The meeting was called to order at 9:00 AM by Thomas McFadden.

2. ROLL CALL:

MCRSD Board: Thomas McFadden, Dean Colvin, Don Ecker, Brenda Meyers, Diann Parsons, Jay Stone, and Christopher Spier

Baker Tilly: Not Present

Andrew Boxberger stated that sewer districts were separated and made an entity by themselves, corporate or political, from any county, city, or town, and are a completely independent body. Once a determination is made by the Indiana Department of Environmental Management that a district is necessary and that public health is paramount, they have the ability to act and serve the public independent of political pressures, which is why these boards are set up the way that they are. It is purposefully done so that the Board cannot be swayed by political whims that come and go with an election, and the members are put in place for a purpose, which is clearly stated in their order issued by the Indiana Department of Environmental Management.

Thomas McFadden indicated presented to the Board was Resolution 2025-6-1 Affirming the Appointment of Thomas McFadden for the Duration of his Statutory Term and Rejecting the Commissioner's Declaration of Vacancy.

Don Ecker, Jr. made a motion to approve the Resolution 2025-6-1 supporting the Resolution of the Board of Trustees Affirming the Appointment of Trustee Thomas McFadden for the Duration of the Statutory Term and Rejecting the Commissioner's Declaration of Vacancy. Christopher Spier seconded the motion.

Thomas McFadden asked for a discussion. Dean Colvin thanked Ms. Manns and everyone who has come forward to express their concerns about the sewer system. I don't want you to think that any one of these Board members and I've talked to all of them, don't take to heart the things that you've expressed with regards to your costs, should the project go forward, and you have to hook up to it. I have the same concerns you do about any costs, whether it be the initial cost or the monthly cost. You have my assurance that as long as I sit on this Board, I will do everything possible, as well as everyone else, to keep those costs at a minimum. The Resolution that is being addressed arises from the result of the action by the County Commissioners. While it is in the name of Thomas McFadden, who sits as chair of the board, you could take Mr. McFadden's name out of this particular resolution and apply it to any one of the Board Members who sit here today. That is, whether or not the commissioners, county council, or the city council has the ability to remove an individual board member, and that has come into question as to whether that authority exists. The Board, by resolution, has come to a consensus that the county commissioners do not have the authority to remove an individual board member without cause. I feel in my particular opinion, supporting the resolution in that regard, I do not believe they have the authority based upon statutory construction that applies to these sewer districts. It was in fact

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when all this started in 2022, it was a big ask when the Marshall County Commissioners went before the Indiana Department of Environmental Management and asked for a sewer district to address not only immediate needs but the future needs of the community. Upon the IDEM's review process and review by an administrative judge, they concurred. Once the district was set up, there had to be independence, otherwise political influence could be a factor on how the Board would operate.

This does not mean that we close our ears but we must listen to the public as well as those who are being affected by this, and in my short 60-some day on the board, I feel it is being done. In respect to the resolution, I believe it is appropriate for my support of this particular matter. I am a commissioner's appointee. Tomorrow, they may say they are not happy with me because I voted for this resolution and move to remove me from the Board. There is an issue here that needs to be addressed, and this is the most appropriate way to address it. So, Mr. Chairman, I lend my support to the resolution today.

Roll Call Vote was taken, Christopher Spier – approve, Dean Colvin – moved to approve Resolution 2025-6-1 affirmative, Brenda Meyers - approve, Thomas McFadden – abstained, Diann Parson – approve, Jay Stone – approve, and Don Ecker, Jr., - approve. All were in favor, with one abstinent. The motion carried unanimously.

Thomas McFadden stated as a reminder that there will be a Project Information Meeting on Saturday, July 12, 2025, at Plymouth Wesleyan Church, in Plymouth. This information is posted on the website.

Adjournment

Dean Colvin made a motion to adjourn. The motion was seconded by Don Ecker, Jr. All were in favor. The motion carried unanimously.

Meeting adjourned at 9:30 AM.

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a. ADJOURNMENT:

Don Ecker, Jr., made a motion to adjourn the meeting. The motion was seconded by Dean Colvin. All were in favor. The motion was approved unanimously.

The meeting adjourned at 10:25 AM.