

INFRASTRUCTURE SUBCOMMITTEE REPORT

Under a plan of consolidation, the extension and maintenance of critical infrastructure improvements remain a vital issue. The Committee has identified the areas of infrastructure needs as follows; **roads and streets, water and sewer utility service, legal drains and storm water quality.**

Roads and Streets- Roads and streets in the unincorporated areas of Eagle and Union Township are currently improved and/or maintained by the Boone County Highway Department. Under a consolidated plan, arguably these needs would be met by the newly consolidated Town of Zionsville. As road and street maintenance under the county is currently constituted, the county highway budget consists of Motor Vehicle Highway Funds (MVH) with the formula made up of road mileage as well as population. The incorporated Town of Zionsville has a similar (MVH) Fund made up of and weighted more heavily to population density than road mileage. These formulas, in particular the formulas for cities and towns, is imposed by the State of Indiana. In addition to (MVH) Funds, both the county as well as the Town of Zionsville street budgets are funded by Local Road and Street Funds (LRS) which is calculated based entirely by the number of road miles. In addition to the MVH and LRS funds utilized for street improvement and maintenance, the Town of Zionsville also supplements the road and street budget from the CCI and CCD funds on an as needed basis.

As the consolidated entity will, more likely than not, be an expanded corporate limit for the Town of Zionsville, the MVH fund will be calculated based upon that formula allocated to cities and towns. In other words, the allocation is based more on population than it would on road mileage. The Committee is unaware of any current ability to allow an expanded town of Zionsville to utilize a funding formula different than currently allocated to cities and towns.

Currently, the Town of Zionsville has two administrative employees, that being the Zionsville Street Superintendent and his Administrative Assistant. In addition, 6 ½ employees work for the Zionsville Street Department on a day to day basis. This includes limited road improvement and maintenance responsibilities including snow removal and leaf pickup. Major road improvements will be subcontracted out by the Town of Zionsville and it would be anticipated that the same would remain in a consolidated entity. Given the responsibility of serving the expanded needs of the Town of Zionsville, the Zionsville Street Superintendent has estimated that a total of 16 full time employees would be necessary to maintain adequate levels of service. In addition to this added cost, it would be anticipated that the Zionsville Street Department will need to expand as they will quickly become out of space. This may include an additional satellite office up in Union Township in the future. Further, additional areas of maintenance, especially in the rural areas would require the Zionsville Street Department to obtain larger equipment, especially in the area of grading and snow removal. In addition to the cost of the equipment itself, drivers that would be required to operate equipment of over 26,000 lbs must have a CDL license. Currently, all of Zionsville's equipment is under the required limit for a CDL license and this could potentially mean an additional expense and better trained and costlier manpower.

Given the pressing needs for additional equipment to maintain the current unincorporated areas, it would be anticipated that a more prudent approach would dictate entering into an Inter-Local Agreement with Boone County through the County Highway Department to allow them to continue to maintain roads and streets in areas of less

intense service levels. Also, private contractors can be used for grading and/or snow removal on an as needed basis. These two options would allow a more phased expansion for the road and street budgets for the Town of Zionsville without making substantial immediate capital expenditures for new equipment and manpower. Funds flowing to Zionsville from the MVH and LRS funds would be utilized to fund these contracts for service.

Sewer and Water Utility Service- Current residents of the Town of Zionsville are served by Viola Water and the municipal sanitary treatment plant in the Town of Zionsville. The water service currently extends outside the existing corporate limits of the Town of Zionsville in Eagle Township to the west of Zionsville and northeast into Union Township. Water service has currently been extended up US 421 and actually is as far northeast as the Indianapolis Executive Airport. The Town of Zionsville does not operate a water works utility as it sold its municipal water utility to the Indianapolis Water Company many years ago. It is anticipated that a consolidated entity would still provide water through Viola and not a municipally owned system. It is anticipated that water service to the balance of Eagle and Union Township will coincide with development that will have a need to extend water lines to serve their respective developments.

In addition to providing sanitary sewer service to the residents of the incorporated Town of Zionsville, Zionsville also has contracted to provide sanitary sewer service outside its municipal boundaries as allowed by statute. The extent of the Town of Zionsville sanitary sewer planning area coincides with its planning area which extends to its eastern boundaries with Hamilton County, north to CR 300, and west to an area that roughly coincides with Kissel road. The Town of Zionsville has established a long range plan for the extension for sanitary sewer lines, as well as a new waste water treatment plant, in the north west area of the towns planning area. Further, the Town of Zionsville and Boone County have entered an agreement with Clay Township Regional Waste District which currently prohibits Clay Regional from extending into Boone County and Eagle Township west of US 421. Currently, sanitary sewer service has been extended by the Town of Zionsville to coincide with the towns municipal boundaries to the north. Clay Regional currently serves areas that are appurtenant to CR 300 east of US 421. This includes the Zionsville school property and several major residential developments both north and south of CR 300 south. Currently, Clay Regional is planning to extend lines to CR 200 south, east of US 421. Sanitary sewer service in the balance of Eagle Township west of 421 and in the areas of Union Township north of CR 200 both east and west of US 421 remain problematic. In order to provide for future growth and development in and along the major road arteries, those being US 421 and State Road 32, it is anticipated that sanitary sewer may be provided as follows:

- a. Town of Zionsville would extend its sanitary sewer system north of its current planning boundaries by creating a waste water treatment plant in the consolidated area.
- b. The agreement with Clay Regional can be amended to invite them to extend service farther into Boone County, including the newly consolidated area in Eagle and Union.
- c. A private sanitary sewer provider could be established with public input and participation so to avoid the problems which occurred with Boone County Utilities.

- d. The Town of Westfield, and their sanitary sewer service, could be invited into Boone County to provide sanitary sewer service.

The most problematic issues dealing with the extension of the town's municipal sanitary sewer service involves the legal requirement to furnish service as well as the cost of doing so. It will be important that the consolidation be viewed, both practically and legally, as a voluntary annexation, in affect, as opposed to an involuntary consolidation. An involuntary consolidation requires the town to make responsible commitments on the furnishing of municipal services, including sanitary sewer service. Otherwise, sanitary sewer service will occur in a more orderly fashion with one or all of the above options being appropriately explored.

Individual sanitary septic systems are regulated and permitted by the Indiana Department of Health, as administered by the Boone County Board of Health. This process will continue under a consolidated entity.

Legal Drains- Eagle and Union Townships, including the Town of Zionsville have a number of regulated legal drains that are maintained and presided over by the Boone County Drainage Board. The unique jurisdiction of these regulated legal drains are covered by Indiana Code 36-9-27-1, et.seq. A drainage assessment is established for each of the various regulated legal drains and those who live in the watershed pay a drainage assessment as regulated by the Boone County Drainage Board, whether any of these legal drains or tiles exist on their property or not. The current regulated legal drains that are maintained by the Boone County Drainage Board in Eagle Township are Green, Russell Lake, Buyrkett, Fishback, Simpson, Jackson's Run along with a myriad of platted subdivisions that have their own legal drains which are assessed by the Boone County Drainage Board and maintained by the office of the Boone County Surveyor. The regulated legal drains in Union Township are Jackson's Run, Lenox, Country Wood, Cutts, Abbitt, Neese, Yates, Mounts Run and Eagle Creek, in addition to the platted subdivision which have their own legal drains assessed by the Boone County Drainage Board and maintained by the Boone County Surveyor. These regulated legal drainage areas consist also of a number of drainage tiles that are maintained by the office of the Surveyor that drain into the watershed areas. A detailed large map has been provided by the Office of the Surveyor.

It is anticipated, given the statutory framework and exclusive jurisdiction in the Boone County Drainage Board, that the regulated legal drains throughout Eagle and Union Township, even after consolidation, will continue to be maintained by the Boone County Surveyor with funds raised by the County drainage assessments for those parcels of ground and the respective watershed areas. Historically, platted subdivisions in the corporate limits of Zionsville have not had their drainage systems established through the Boone County Drainage Board but simply have the drainage structures dedicated to and maintained by the Town of Zionsville. The Surveyors Office and Drainage Board would anticipate that individual subdivisions, either commercial or residential, approved under the authority of a consolidated entity, would not be set up for individual maintenance but would simply be maintained by the Town of Zionsville. Existing regulated watersheds and legal drains would continue to be maintained by the surveyor with drainage assessment being handled at the County level.

Storm Water Quality- New development occurring within the consolidated entity will collect water and distribute the same pursuant to individually constructed storm

water sewer systems. A consolidated entity would not see much change in the specifics and criteria necessary to comply with good engineering practice as Boone County and the Town of Zionsville have the same Storm Water Management Ordinance. However, it is important to note that the State Water Quality Control Requirements, through IDEM (Indiana Department of Environmental Management), are somewhat different for the agricultural areas as opposed to the municipal cities or towns. Historically, lakes and ponds that may be dug in rural agricultural areas, not otherwise in an incorporated city or town, maybe viewed by IDEM in a much different light than water quality control issues in a much more urban area. Once consolidated, it very well may be that an individual, who would want to construct a pond on a 15 acre tract in what is now unincorporated Eagle and Union Township, may find the water quality control and the construction criteria much more difficult after consolidation. It is unclear to the subcommittee whether IDEM will take a different approach if different levels of service are established for more rural areas. It may be impossible within the time frame of making this report to get a determination from IDEM as to how they will treat such an issue. The fact is that a consolidation may impose rules and regulations as it relates to storm water management and water quality control standards that have heretofore not been imposed in the rural area. While an inconvenience, the new Water Quality Regulations may be an improvement to the quality of life for the residents of Zionsville.