



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun
Governor

Clint Woods
Commissioner

October 31, 2025

VIA ELECTRONIC MAIL

Marshall County Regional Sewer District
c/o Christopher Nusbaum, Attorney
112 W. Jefferson Street
Plymouth, IN 46563
cnusbaum@carsonllp.com

Dissolution of Marshall County Regional Sewer District Pursuant to Indiana Code § 13-26-6-4

Dear Board of Trustees,

I write to inform you that, pursuant to Indiana Code (IC) § 13-26-6-4, the Indiana Department of Environmental Management (IDEM) is declaring the Marshall County Regional Sewer District (the “District”) dissolved and entering an order for distribution of all assets owned by the district after the payment of liabilities. IDEM has determined that the project or operation of the district is not economically feasible, fair, or reasonable, and that the District failed to file a modified plan for the operation of the District within the time prescribed by IDEM. This letter, accompanied by the order dissolving the District and directing distribution of all assets after payment of liabilities along with correspondence from the Indiana Finance Authority dated October 16, 2025, outlines the justification for these determinations.

IDEM notes that these determinations are based on the District-specific information as of October 31, 2025 and are likely not applicable to other regional sewer districts operated pursuant to IC art. 13-26.¹ IDEM stands ready to assist Marshall County to address water quality matters, including relevant assessments, seeking additional state or federal support, or acting swiftly on any future request (including, as appropriate, to establish a new regional sewer district or RSD pursuant to IC art. 13-26). We also acknowledge and appreciate the Marshall County Council’s willingness to address funding obligations of the District and protect vulnerable residents moving forward.²

Relevant provisions of IC art. 13-26 contain significantly different criteria for IDEM determinations relating to establishment of an RSD (IC § 13-26-2-10 outlines how a petition for

¹ Information on other Indiana RSDs is available at: <https://www.in.gov/idem/cleanwater/information-about/regional-water-sewer-and-solid-waste-districts/>.

² “To facilitate the dissolution of the [Marshall County Regional Sewer District] and protect the most vulnerable homeowners in the district, the Council stands ready to provide funding to retire the MCRSD’s obligations under the [Bond Anticipation Note] in exchange for the assets of the MCRSD. The engineers for the MCRSD recently stated that the design work has a long shelf life and can be used in the future in the event a sewer project does... become economically feasible, fair, and reasonable.” Available at: https://www.in.gov/idem/cleanwater/files/idem_marshall_county_rsd_request_20250918.pdf.



establishment of an RSD, after public hearing and production of findings and recommendations, must demonstrate that it “complies with the conditions of this chapter for establishment of a district” and “appears capable of accomplishing the purpose or purposes in an economically feasible manner”) and approval of a district plan under IC § 13-26-6-2 compared with dissolution of an RSD pursuant to IC § 13-26-6-4 (based on a determination “that the project or operation of the district is not economically, fair, or reasonable” or “the district fails to file a plan for the operation of the district within the time prescribed by the department”).

It is clear that the District has failed to file a modified plan within the time prescribed by IDEM. On September 18, 2025, IDEM sent correspondence to the District to request a modified plan pursuant to IC § 13-26-1-2(a)(1) by October 3, 2025 (extended to October 8, 2025, based on a request by the District).³ In response, the District transmitted an October 8, 2025 letter indicating that “there has been no material change to the plan originally submitted and deemed complete on January 17, 2024” and “the fundamental elements and objectives of the plan remain unchanged.”

We disagree with this claim and note that, based on public information, there are significant modifications to key elements of the petition or District plan that would have likely impacted IDEM’s determinations regarding establishment of the District (including whether the District “appears capable of accomplishing the purpose or purposes in an economically feasible manner” under IC § 13-26-1-10) and are highly pertinent to dissolution criteria under IC § 13-26-6-4. Based on a review of public information, it appears that several key elements required in the District petition and plan, pursuant to IC § 13-26-2-3 and IC § 13-26-6-1, respectively, have changed dramatically for the District’s operation and project. For example:

- The District’s plan for and source of financing appears to have changed significantly recently. IC § 13-26-2-3 requires a petition to state “[t]he plan for financing the cost of the operations of the district until the district is in receipt of revenue from the district’s operations or proceeds from the sale of bonds” and “[t]he sources of the funding of these costs.” IC § 13-26-6-1 requires related reports, studies, plans, and specifications. The District plan approved in January 2024 (with a reminder that “the District should send updates to the Plan to IDEM as they occur”) identifies State Revolving Fund as the sole source of funding for the combined \$21,390,000 in estimated project costs and no “Other Funding Sources” identified in numerous formatted appendices.⁴ While the original petition indicates that the District would look for “all available public funds and private contributions” as a plan for financing operations until in receipt of adequate revenue,⁵ neither the District plan nor subsequent plan modifications or other updates to IDEM reflect the operational financing approach recently carried out by the District and discussed below. In fact, the body of the approved District plan only mentions “bond” in the context of an estimated \$75,000 non-construction cost for Bond Counsel.

³ https://www.in.gov/idem/cleanwater/files/idem_marshall_county_rsd_request_20250918.pdf. In addition, IDEM’s approval of the District plan in 2024 noted that “the District should send updates to the Plan as they occur.” (https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83859634&dDocName=83863677&Rendition=web&allowInterrupt=1&noSaveAs=1).

⁴ https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83859634&dDocName=83863677&Rendition=web&allowInterrupt=1&noSaveAs=1.

⁵ https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83413111&dDocName=83416316&Rendition=web&allowInterrupt=1&noSaveAs=1

Public information, including a July 2025 letter to property owners from the District⁶ as well as August 2025 resolutions from the Marshall County Commissioners and Marshall County Council,⁷ document that the District has sold a significant bond anticipation note of more than \$3 million and spent significantly against it well in advance of the identified plan and sources of funding identified in the District's submissions to IDEM.

- In addition, the District has failed to update its plan with IDEM to reflect realities of funding options to finance a sewer project through the Indiana Finance Authority's (IFA) State Revolving Fund Loan Fund (SRF). As reflected in the attached letter from IFA on October 16, 2025, memorializing conversations from March through July 2025 regarding "where the District stands with respect to the SRF approval process." This letter establishes, due to "the projected cost of the project and associated user rate per home," the proposed \$21.4 million project is not fundable under SRF and would require substantial changes in scope. This situation is at odds with the project, funding sources, and timeline described in the District plan and petition. This communication also contradicts the District's October 8 letter to IDEM regarding financing, including that "[t]he District is pursuing this process in the ordinary course, with primary attention directed toward opportunities through" IFA's SRF.⁸
- The District's project schedule contained in the IDEM-approved plan, including important permitting, grant, and construction milestones, have been significantly missed but are not reflected in plan modifications. In addition, significant steps, including the pursuit and use of the bond anticipation note that were not included in the petition or District plan, were omitted from the project schedule and not updated in subsequent plan modifications. While it is not unusual for project timelines to slip, the magnitude of these changes in this case should have necessitated updates to IDEM in the form of a modified plan, including in response to the September 18 request. For example, the District projected having all permits issued (including from IDEM, Indiana Department of Transportation, Indiana Department of Natural Resources, and Marshall County), the loan closed, contract awarded, and construction begun by mid-2025. The importance of this project schedule is reflected in IDEM's conditional approval of the District plan in December 2023, where the completion of a Selected Plan and Proposal Project and Project Schedule (Table 46) was established as a prerequisite to IDEM approval of the overall plan.⁹
- The District's territory has changed, necessitating updates to the petition or District plan. IC § 13-26-2-3 requires that the petition provide "[a]n accurate description for the territory to be included in the district," and IC § 13-26-1-2 directs modification of a district plan in order to "abandon or surrender all or part of a purpose or plan approved by the department."

⁶ "Much has been made of the significant amount of money already spent. Federal money is NOT available unless a project has fully completed plans, environmental impact studies, project specifications, etc. In order to even apply for these federal funds, that will significantly reduce the cost to the homeowner, the MCRSD has had to hire consultants and experts to guide us through the process and complete the grant application. We ask for your patience and understanding in this somewhat lengthy process. Your support is vitally important to the success of this project." (https://cdn.prod.website-files.com/6854711e8078d75cba2c0f5c/68876cb6e070870f4161253c_4.%20Project%20Update%20Letter%20from%20Board%20of%20Trustees.pdf).

⁷ "At this time, the MCRSD has sold a \$3,075,000 Bond Anticipation Note ('BAN') to Star Financial Bank, which is to be repaid upon the issuance of bonds to finance the construction of the district's first sewer project." (https://www.in.gov/idem/cleanwater/files/idem_marshall_county_rsd_request_20250918.pdf).

⁸ https://www.in.gov/idem/cleanwater/files/marshall_county_rsd_response_20251008.pdf.

⁹ https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83568992&dDocName=83573036&Rendition=web&allowInterrupt=1&noSaveAs=1

As discussed further in the attached order, the District indicated at an August 2025 meeting that the service area boundary is “different and has shrunk.”

- It appears that the District may have also shifted its purposes in a manner that necessitates a modified District plan. IC § 13-26-2-3 requires that the petition states “[t]he purpose to be accomplished” by the District as well as “[w]hether there is any outstanding indebtedness for the purpose proposed in the proposed district.” The Indiana General Assembly further emphasized the importance of clarity in the purposed for RSDs by directing established districts to file a petition seeking approval by IDEM to “increase or add to the district’s purposes or modify the district plan approved by the department” or “abandon or surrender all or part of a purpose or plan approved by the department” under IC § 13-26-1-2.

The District’s petition stated that: “The purpose to be accomplished by the formation of the District is the provision of the reduction of the pollution of the environment by elimination of inadequate septic systems and the construction of a sanitary sewer collection system and appropriate treatment of collected sewage.”¹⁰ In a July 2025 project update letter to community members, however, the District wrote “to highlight that the purpose of the sewer project in Priority Service Area 1 (PSA 1) has ALWAYS been to address the small lot sizes, poor soils and the inability to obtain permits for new septic systems once the current ones fail” and that “[a]n added benefit to moving to public sewer is improved water quality in the lakes, but that has NEVER been the primary purpose of the project in PSA1.”¹¹

- The District has not convened the Marshall Regional Sewer District Consulting Board, required under the District petition approved by IDEM to “be a non-voting entity that will provide technical assistance to the District.” The decision not to form or convene this Board, including during a time of significant technical, financial, and engineering decisions and prior to being awarded SRF funds, should have been reflected in updates to IDEM or through a modification of the District plan.

In our review, IDEM has also found no basis to question the following statements from the resolutions submitted by the Marshall County Commissioners or Marshall County Council,¹² all of which raise issues relevant to District dissolution criteria under IC § 13-26-6-4:

- The “economic landscape is drastically different now than when this project was first conceived,” including local economic and demographic effects of changes in inflation, taxes, public health, and other consumer costs.
- “If the Council has been aware of the proposed rates, it likely would not have voted to authorize the district’s creation.”
- “The Review and Consulting Board would have been yet another measure of oversight linking the MCRSD to elected officials... The MCRSD has never formed or convened the Review and Consulting Board.”

¹⁰https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83413111&dDocName=83416316&Rendition=web&allowInterrupt=1&noSaveAs=1

¹¹ https://cdn.prod.website-files.com/6854711e8078d75cba2c0f5c/68876cb6e070870f4161253c_4.%20Project%20Update%20Letter%20from%20Board%20of%20Trustees.pdf.

¹² https://www.in.gov/idem/cleanwater/files/idem_marshall_county_rsd_request_20250918.pdf.

- “The MCRSD has stated it has no idea on how to repay the BAN if the sewer works is not built.”
- “The engineers for the MCRSD recently stated that the design work has a long shelf life and can be used in the future in the event a sewer project does, in fact, become economically feasible, fair, and reasonable.”

In light of the findings of fact outlined in the attached order and the absence of a modified plan or additional information submitted by the District relevant to IDEM’s September 18 request, I have determined that the dissolution criteria established in IC § 13-26-6-4, including that “the project or operation of the district is not economically, fair, or reasonable” or “the district fails to file a plan for the operation of the district within the time prescribed by the department,” have been satisfied in this case. The District is dissolved but IDEM stands ready to assist the County on water quality matters moving forward.

Respectfully,



Clint Woods
Commissioner
Indiana Department of Environmental Management

cc:
Marshall County Council
Marshall County Board of Commissioners

Enclosure(s)

STATE OF INDIANA)
)
COUNTY OF MARION)

**BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:)
)
THE DISSOLUTION OF)
THE MARSHALL COUNTY)
REGIONAL SEWER)
DISTRICT)

**DISSOLUTION OF THE MARSHALL COUNTY
REGIONAL SEWER DISTRICT**

Pursuant to Indiana Code § 13-26-6-4, the Commissioner of the Indiana Department of Environmental Management is declaring the Marshall County Regional Sewer District dissolved and entering an order for distribution of all assets after payment of liabilities.

FINDINGS OF FACT

1. On April 29, 2022, the Marshall County Board of Commissioners (“County Commissioners”) approved the submittal of a Petition to Establish a Regional Sewer District (“Petition”) to the Indiana Department of Environmental Management (“IDEM”) pursuant to Indiana Code (“IC”) art. 13-26. IDEM Virtual File Cabinet (“VFC”) #83416316.¹
2. Pursuant to paragraph 13 of the Petition, the District asserted that if established it would create a Marshall County Regional Sewer District Consulting Board (“Consulting Board”) that would be a non-voting entity to provide technical assistance to the District. The Consulting Board is to be comprised of representatives from the Marshall County Health Department, Marshall County Surveyor’s Office, and the County Commissioners. *Id.*
3. Along with the Petition, IDEM received a Preliminary Engineering Report (“PER”). The PER served as the district plan. The PER contained a State Revolving Fund (“SRF”) Project Financing Information Form and a Preliminary Rate Analysis setting forth a summary of estimated rates, costs for operation, and funding sources. VFC #83381389.²
4. On December 12, 2022, IDEM issued an Order Adopting the Findings of Fact and Recommended Order of the Hearing Officer for the Establishment of the Marshall County Regional Sewer District (the “District”). VFC #83564432 and #83564433.^{3,4}

¹https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83413111&dDocName=83416316&Rendition=web&allowInterrupt=1&noSaveAs=1

²https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83378984&dDocName=83381389&Rendition=web&allowInterrupt=1&noSaveAs=1

³https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83560423&dDocName=83564432&Rendition=web&allowInterrupt=1&noSaveAs=1

⁴https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83560424&dDocName=83564433&Rendition=web&allowInterrupt=1&noSaveAs=1

5. On December 11, 2023, IDEM notified the District that the District Plan was conditionally approved. IDEM requested the District complete and submit the project schedule within ninety (90) days. VFC #83573036.⁵
6. On January 17, 2024, IDEM notified the District that the revised District Plan, including the project schedule, had been reviewed and determined to be complete pursuant to IC § 13-26-6-4. The approval also noted that “the District should send updates to the Plan to IDEM as they occur.” VFC #83863677.⁶
7. On March 14, 2024, the District issued a Press Release informing the property owners within the District that is “closed on a \$3,075,000 Bond Anticipation Note. Proceeds from the note will be used primarily for engineering design services to advance the project from conception to construction. The note will be paid off with bond proceeds from future long-term financing which is anticipated to be sold to the State Revolving Fund Loan Program (SRF).”⁷
8. On July 24, 2025, the District posted a letter on its website. The letter informed the property owners within the District of the primary purpose of the District as well as the need to obtain financing prior to being able to receive any federal money.⁸
9. The August 2025 District Board meeting minutes contain comments from representatives for Jones Petrie Rafinki (“JPR”) that priority service area (“PSA”) 1 has changed from the original District Plan. Specifically, Kenneth Jones, Jr. with JPR said, “specifically to PSA 1, we started with 628 homes, and that number has gone down a bit. If reviewing the original PER, there is a boundary referred to as the study area boundary for PSA 1, if go to the current service area boundary, it is different and has shrunk. There are probably multiple examples of properties where the space between the lines has been removed from the service area because of their acreage, their location. Those properties have been removed as it did not make sense financially to extend public sewer to serve four homes.”⁹
10. On August 28, 2025, IDEM received resolutions signed by the Marshall County Council (“Council”) and County Commissioners requesting the dissolution of the District pursuant to

⁵https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83568992&dDocName=83573036&Rendition=web&allowInterrupt=1&noSaveAs=1

⁶https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83859634&dDocName=83863677&Rendition=web&allowInterrupt=1&noSaveAs=1

⁷https://cdn.prod.website-files.com/6854711e8078d75cba2c0f5c/685aa4ef465b85e431da1f0d_Press%20Release%203-14-2024.pdf

⁸https://cdn.prod.website-files.com/6854711e8078d75cba2c0f5c/68876cb6e070870f4161253c_4.%20Project%20Update%20Letter%20from%20Board%20of%20Trustees.pdf

⁹https://cdn.prod.website-files.com/685598e8dc015fca2bce22ca/68e6b44b3e253bb210e110e9_3.%20a.%202025-08-13%20Meeting%20Minutes.pdf

IC § 13-26-6-4. Specifically, the Council and Commissioners allege that the District is “not economically feasible, fair, or reasonable.” VFC #83887812.¹⁰

11. The Council and Commissioners provided the following information to IDEM:

- a. The approvals provided by the Council and Commissioners to submit the Petition to IDEM were granted prior to the issuance of the PER setting forth an estimated monthly bill between \$95.00 and \$208.27. This proposed rate is an increase of approximately 26% to 245% more than the rate first presented to the Council and Commissioners. Had this been known to the Council and Commissioners they would not have approved the filing of the Petition. *Id.*
- b. The economic landscape of Marshall County is drastically different from what it was when the project was first conceived. Further, as of August 19, 2025, approximately 44.3% of Marshall County residents are older adults and seniors. In addition, Marshall County’s per capita personal income is just 87% of the statewide statistics. *Id.*
- c. The Petition contained a provision for the creation of the Consulting Board that would have “been yet another measure of oversight” but the Consulting Board was never formed or convened as alleged in the Petition to form the District. *Id.*
- d. The District sold a \$3,075,000 Bond Anticipation Note (“BAN”) to Star Financial Bank to be repaid with the issuance of bond to finance the project. The District has stated that it has no idea how to repay the BAN if the project is not constructed. *Id.*
- e. The District’s engineers stated that “the design work has a long shelf life and can be used in the future in the event a sewer project does, in fact, become economically feasible, fair, and reasonable.” *Id.*

12. On September 18, 2025, IDEM requested the District submit a modified plan pursuant to IC § 13-26-1-2(a)(1) by October 3, 2025. In addition to the modified plan, IDEM requested the District provide any additional information relevant to IDEM’s evaluation of whether the District’s “project or operation of the district” is “economically feasible, fair, or reasonable.” *Id.*

13. On September 24, 2025, the District requested via email an extension to October 9, 2025, to respond to IDEM.

14. On October 8, 2025, the District sent a response letter to IDEM. The District did not produce a modified plan or any additional information to rebut the information submitted by the Council and Commissioners in support of the resolutions. The District maintained “there has been no material change to the plan originally submitted and deemed complete on January 17, 2024” and “the fundamental elements and objectives of the plan remain unchanged.” VFC #83887815.¹¹

¹⁰https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83883769&dDocName=83887812&Rendition=web&allowInterrupt=1&noSaveAs=1

¹¹https://ecm.idem.in.gov/cs/idcplg?IdcService=GET_FILE&dID=83883772&dDocName=83887815&Rendition=web&allowInterrupt=1&noSaveAs=1

15. On October 16, 2025, the Indiana Finance Authority (“IFA”) sent the District a letter to summarize where the District stands regarding the State Revolving Fund (SRF) approval process. Due to the projected cost of \$21.4M and the user rate per home, SRF funding was not granted. The District needs to reengineer the project to “bring down the total project cost and associated user rate per home.” The IFA stated that the District should be “breaking the larger project into management phases to be completed over several years.” VFC #83888898.¹²
16. Pursuant to IC § 13-26-1-2(a)(1), the District must petition IDEM requesting approval to allow the District to modify the approved District Plan. There have been significant changes to the approved District Plan completed without petitioning IDEM as required by law. Some of these changes include:
- a. The District’s source of financing has changed. The District Plan identifies SRF funding as the sole source of funding for the combined \$21,390,000 estimated project costs with no other funding sources. The District Plan does not mention obtaining a BAN. The only “bond” mentioned in the District Plan is for an estimated \$75,000 non-construction cost for Bond Counsel.
 - b. The District could not obtain SRF funding for the proposed project as set forth in the District Plan; therefore, it must modify the project. IFA notified the District that it needed to reengineer the project, which would be a significant change from what was contained in the approved District Plan. Specifically, the District was advised to break up the larger project into phases. In a public meeting held by the District on August 13, 2025, the district representatives stated that the current service area boundary for PSA 1 “is different and has shrunk and have been removed as it did not make sense financially.” This restructuring of PSA 1 is a modification of the District Plan.
 - c. The Project Schedule contained in the District Plan has significantly changed due to the lack of funding and the inability to proceed as scheduled. First, the Project Schedule did not include the use of a BAN. Second, construction was to begin in June or July 2025. Construction did not begin. The schedule contains a note that states that “[t]his schedule may need to be updated from time to time throughout the same as these efforts continue.” No update or modification has been submitted to IDEM.
 - d. The District has shifted its purpose from what was contained in the Petition. The Petition states, “[t]he purpose to be accomplished by the formation of the District is the provision of the reduction of the pollution of the environment by elimination of inadequate septic systems and the construction of a sanitary sewer collection system

¹²https://ecm.idem.in.gov/cs/idcplg?IdcService=DOC_INFO&dID=83884855&dDocName=83888898

and appropriate treatment of collected sewage.” In the July 24, 2025 letter to property owners, the District wrote “to highlight that the purpose of the sewer project in Priority Service Area 1 (PSA 1) has ALWAYS been to address the small lot sizes, poor soils and the inability to obtain permits for new septic systems once the current ones fail” and that “[a]n added benefit to moving to public sewer is improved water quality in the lakes, but that has NEVER been the primary purpose of the project in PSA1.”

- e. The District has not formed or convened the Consulting Board as asserted in the Petition and included in the Findings of Fact and Recommended Order of the Hearing Officer that was approved and adopted in the Order forming the District. The District decided not to form the entity that would be a non-voting entity to provide technical assistance during this time of significant technical, financial, and engineering decisions and prior to obtaining funding, which is a modification of the District’s Petition and Plan.

17. Pursuant to IC §§ 13-26-6-4(1) & (2), if IDEM determines that the project or operation of the district is not economically feasible, fair, or reasonable, or if the district fails to file a plan for the operation of the district by the time established by IDEM, IDEM may declare the district dissolved and enter an order for the distribution of all assets owned by the district after the payment of liabilities.

ORDER

Notice is hereby given that the Commissioner of the Indiana Department of Environmental Management (“Commissioner”) now determines, based on the findings of fact above and, pursuant to IC §§ 13-26-6-4(1) and (2):

1. That the project or operation of the Marshall County Regional Sewer District is not economically feasible, fair, or reasonable;
2. That significant changes in the District Plan have occurred that required the District to modify the District Plan pursuant to IC § 13-26-1-2(a)(1).
3. That the District failed to file a modified District Plan by October 9, 2025, as prescribed by IDEM;
4. That the Order dated December 12, 2022, creating the District should be rescinded;
5. That the District should be ordered dissolved as a municipal corporation and the purposes and plans of District should be surrendered.

The Commissioner now hereby **ORDERS** that the Order creating the Marshall County Regional Sewer District be rescinded, that the District be and hereby is dissolved, that the purposes and plans of the District be surrendered, and that all assets owned by the District must be liquidated and distributed to all creditors to satisfy its liabilities.

This is a Final Order subject to Judicial Review consistent with applicable provisions of IC art. 4-21.5. Pursuant to IC § 4-21.5-5-5, a Petition for Judicial Review of this Final Order is timely

only if it is filed with a civil court of competent jurisdiction within thirty (30) days after the date notice of the order is served.

IT IS SO ORDERED this 31st day of October 2025 in Indianapolis, IN.

A handwritten signature in blue ink, appearing to read 'Clint Woods', is positioned above the printed name.

Clint Woods, Commissioner
Indiana Department of Environmental Management



Indiana Finance Authority Environmental Programs

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Indianapolis, Indiana 46204
www.ifa.in.gov

James P. McGoff
IFA Chief Operating Officer / Chief of Staff
(317) 233-4337
jmcgoff@ifa.in.gov

October 16, 2025

Via Email: jransbottom@jprlsource.com

Jennifer Ransbottom, District Director
Marshall County Regional Sewer District
325 S. Lafayette Blvd.
South Bend, IN 46601

RE: Marshall County Regional Sewer District's Application for Financing

Dear Ms. Ransbottom:

In light of the recent communications surrounding the Marshall County Regional Sewer District ("District"), including, in relevant part, an October 8, 2025 letter from Carson LLP to the Indiana Department of Environmental Management ("IDEM"), stating the District is pursuing funding options to finance a sewer project through the Indiana Finance Authority's ("IFA") State Revolving Fund Loan Fund ("SRF"), we thought it would be helpful to summarize where the District stands with respect to the SRF approval process.

On March 28, 2025, the IFA received the District's SRF Application and Preliminary Engineering Report which we scored and ranked along with all other SRF applications for funding in State Fiscal Year 2026 (July 1, 2025 – June 30, 2026).

Because of the projected cost of the project and associated user rate per home, we had a call with representatives from the District's engineering and finance professionals (JPR and Baker Tilly) on July 1, 2025 to discuss alternatives which included scaling back the proposed \$21.4M project and reengineering a project for a subset of the entire District to bring down the total project cost and associated user rate per home, with the goal of breaking the larger project into manageable phases to be completed over several years.

We understood the District would undertake that process and provide an updated application next spring coinciding with our application process for SFY 2027.

Sincerely

A handwritten signature in blue ink, which appears to read "James P. McGoff", is written over a printed name. The signature is stylized and cursive.

James P McGoff