

BEFORE THE COMMON COUNCIL OF THE  
CITY OF CHARLESTOWN, INDIANA

**RESOLUTION NO. 2022-R- 3**

A RESOLUTION APPROVING AN AGREED ORDER WITH INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT REGARDING  
CITY'S COMPLIANCE WITH NPDES PERMIT

WHEREAS, the City of Charlestown, Indiana (the "City") owns and operates a sanitary sewage utility works (the "Utility") for purposes of collection and treatment of wastewater;

WHEREAS, the Charlestown Sanitary Sewer Board (the "Board") is a body corporate and politic, in and under the authority of I.C. 36-9-23, to supervise and control the Utility;

WHEREAS, the Common Council of the City ("Council") is the legislative and fiscal body of the City;

WHEREAS, Indiana Department of Environmental Management ("IDEM") has regulatory jurisdiction over the Utility;

WHEREAS, the City is authorized to discharge wastewater treated at the Utility in accordance with the terms and conditions of its National Pollutant Discharge Elimination System Permit ("NPDES Permit");

WHEREAS, IDEM desires to enter into an *Agreed Order* (the "Agreed Order") with the City pertaining to the City's compliance with the terms and conditions of its NPDES Permit;

WHEREAS, this Agreed Order resolves a pending *Notice of Violation* related to the City's non-compliance with its NPDES Permit; and

WHEREAS, the Council believes it is in the best interest of the City to enter into this *Agreed Order* with IDEM.

NOW THEREFORE, IT IS RESOLVED by the Common Council of the City of Charlestown, that:

1. The Council hereby approves this *Agreed Order* in substantially final form as attached hereto as Exhibit A; and,

2. The Council hereby authorizes Treva Hodges, the Mayor of Charlestown, Indiana to finalize and execute this *Agreed Order* on behalf of the City.

ALL OF WHICH IS RESOLVED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN

ON THIS \_\_\_\_\_ DAY OF JUNE, 2022.

**Voted in Favor**

**Voted Against**

\_\_\_\_\_  
Ruthie Jackson

\_\_\_\_\_  
Ruthie Jackson

\_\_\_\_\_  
Bo Bertram

\_\_\_\_\_  
Bo Bertram

\_\_\_\_\_  
Brian Hester

\_\_\_\_\_  
Brian Hester

\_\_\_\_\_  
B.J. Steele

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B.J. Steele

\_\_\_\_\_  
J.T. Cox

\_\_\_\_\_  
J.T. Cox

The foregoing Resolution was presented to the Mayor of the City of Charlestown, Indiana on this \_\_\_\_\_ day of June, 2022 at \_\_\_\_\_ o'clock P.M.

\_\_\_\_\_  
Donna Coomer, City Clerk Treasurer

This *Resolution Approving Agreed Order with Indiana Department of Environmental Management Regarding City's Compliance with NPDES Permit* is approved by me on this \_\_\_\_\_ day of June, 2022 at \_\_\_\_\_ o'clock P.M.

\_\_\_\_\_  
Treva Hodges, Mayor  
City of Charlestown, Indiana

ATTEST:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Donna Coomer, City Clerk Treasurer

**EXHIBIT A**

FORM OF AGREED ORDER

*(attach)*

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