

**BOARD OF TRUSTEES OF THE BORDEN TRI-COUNTY REGIONAL WATER DISTRICT**

**ORDINANCE NUMBER 2026-1**

**ORDINANCE AMENDING SCHEDULE OF WATER RATES AND CHARGES FOR THE RESIDENTS AND USERS LOCATED WITHIN THE SERVICE AREA OF BORDEN TRI-COUNTY REGIONAL WATER DISTRICT ( the “DISTRICT”)**

WHEREAS, the Board of Trustees of the District (hereinafter “Board”) has previously adopted a schedule of rates and charges which has from time to time been amended; and,

WHEREAS, the Board last amended its rates and charges through the adoption of Ordinance Number 2024-1, which such rates and charges took effect on July 1, 2024; and

WHEREAS, Indiana Code § 13-26-11-8 requires the Board, by ordinance, to establish just and equitable rates or charges for the use of the services provided by the District’s waterworks; and,

WHEREAS, the Board has determined that proper notice has been duly given as required by Indiana Code § 13-26-11-12, and that a public hearing on the proposed revised schedule of rates and charges was held on April 21, 2026 as required by Indiana Code § 13-26-11-11 prior to final adoption of this Ordinance; and,

WHEREAS, Indiana Code § 13-26-11-9(a) provides that just and equitable rates and charges are those that: (1) produce sufficient revenue to pay all expenses incident to the operation of the works, including maintenance cost, operating charges, upkeep, repairs, and interest charges on bonds or other obligations; (2) produce sufficient revenue to provide the sinking fund for the liquidation of bonds or other evidence of indebtedness and reserves against default in the payment of interest and principal of bonds; (3) produce sufficient revenue to provide adequate money to be used as working capital, as well as money for making improvements, additions, extensions, and replacements; and (4) give due consideration to the interests of the ratepayers; and;

WHEREAS, Indiana Code § 13-26-11-9(b) provides that rates and charges too low to meet the financial requirements described in the immediately preceding paragraph are unlawful; and

WHEREAS, the initial rates and charges established after notice and hearing under Indiana Code § 13-26 are prima facie just and equitable; and

WHEREAS, Indiana Code § 13-26-11-4 provides that the rates and charges for services of a water, sewer, or solid waste disposal or recovery system do not have to be uniform throughout the district for all users and provide that the board may exercise reasonable discretion in: (1) adopting different schedules of rates and charges; or (2) making classifications in schedules of rates and charges: (A) based upon variations in the costs of furnishing the services, including the capital expenditures required, to various classes of users or to various locations in district; or (B) where there are variations in the number of users in various locations in the district; and

WHEREAS, the District purchases approximately 80% of its water from Indiana American Water Company, and Indiana American Water Company increased its rates and charges to wholesale customers by 36% over three (3) phases in 2024 and 2025; and

WHEREAS, in response to such increase in rates and charges to wholesale customers by Indiana American Water, the District increased its rates and charges to its customers in 2024 by 15%, which generated income less than the expenses absorbed by the District as a result of Indiana American Water Company’s rate increases to wholesale customers; and

WHEREAS, the District's treatment plant produces approximately 20% of the water distributed to its customers. Maintenance and upgrading facilities and infrastructure to meet new requirements mandated by state regulations have resulted in higher costs associated with filtering, testing, and treatment of the water produced by the District; and

WHEREAS, the Indiana General Assembly adopted HEA 1459 in 2025 that imposes additional administrative costs on the District, including requiring the District to prepare and develop an asset management program, provide periodic reports to the Indiana Utility Regulatory Commission, and provide periodic training to its Board members; and

WHEREAS, recent improvements being undertaken by the District to meet the demands of its customers have included: purchasing new billing and accounting software, painting water tanks, constructing the new lake at Muddy Fork, and raising the level of the lake at Packwood Branch; and

WHEREAS, as a result of the increase in the rates charged by Indiana American Water Company, and to adhere to water quality guidelines, to meet demand for customer water use, and to budget for capital improvements, the Board finds that the District's rates should be increased.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE BORDEN TRI-COUNTY REGIONAL WATER DISTRICT, AS FOLLOWS:

1. The Rate Schedule for services provided by the District is hereby amended, to the following:

<b>PREVIOUS RATE SCHEDULE</b>					
	Gallons	Rate Block Price per 1000 gallons	Total Gallons	Current Rate Per Rate Block	Total With Tax
First	2,000 (minimum)	\$11.51	2,000	\$23.02	\$24.63
Next	8,000	\$9.43	10,000	\$98.46	\$105.35
Next	20,000	\$8.66	30,000	\$271.66	\$290.68
Next	70,000	\$7.85	100,000	\$821.16	\$878.64
Over	100,000	\$7.07			
<b>July 1, 2026 Rate Schedule 20% Increase Results</b>					
First	2,000 (minimum)	\$13.81	2,000	\$27.62	\$29.56
Next	8,000	\$11.32	10,000	\$118.15	\$126.42
Next	20,000	\$10.39	30,000	\$325.99	\$348.82
Next	70,000	\$9.42	100,000	\$985.39	\$1054.37
Over	100,000	\$8.48			

2. This Ordinance shall be in full force and effect from and after its passage and adoption, and the new rates and charges shall go into effect, on July 1, 2026. Except as hereby amended and revised, the rate schedule and charges, as amended, and any and all preceding ordinances amended thereby, shall remain in full force and effect.

[Signature Page Follows]

Duly passed and adopted this 21<sup>st</sup> day of APRIL, 2026.

	FOR	AGAINST	ABSTAINED
 John Eurton, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Steve Burnett, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Rudy Cook, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Chris Gertin, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tom Hein, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Junior McCoy, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jim Senn, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Glenn Smith, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Les Wright, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>