

TOWN OF GREENVILLE  
ORDINANCE NO. 2015-WO-010

**ORDINANCE CONCERNING THE INCREASE OF CURRENT WATER UTILITY  
RATES AND CHARGES FOR THE GREENVILLE WATER UTILITY OF  
GREENVILLE, INDIANA**

WHEREAS, the Town of Greenville Water Utility Council for the Town of Greenville, Indiana, in the interest complying with the State of Indiana Code I.C.8-1.5-3-8 Rates and Charges, has deemed it necessary that the Water Council develop an Ordinance which increases Water Rates to reflect increased cost from suppliers and;

WHEREAS, the Town of Greenville Water Utility Council for the Town of Greenville, Indiana, is the entity for fixing and approving rates and charges for the Greenville Water Utility pursuant to I.C. 8-1.5-3 et seq. and;

WHEREAS, after due consideration and discussion after receiving a rate increase correspondence from Floyds Knobs Water Company to the Town of Greenville dated December 29<sup>th</sup>, 2014 {attached} and at the Town of Greenville Monthly Meeting held on January 12<sup>th</sup>, 2015 it was further agreed that the water rates be amended in accordance with water cost tracking factor {WTCF} as stated in item one {1} below and approved by the passage of Ordinance 2013-WO-051 dated November 11<sup>th</sup>, 2013 which does not require a Public Hearing for pass through of purchasing water for resale. See appendix "A" attached for new rates;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN AND WATER UTILITY COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

1. The metered rates and charges shall be subject to a wholesale water cost tracking factor {WTCF} occasioned solely by changes in the cost of purchasing water for resale from Town's wholesale water providers. WCTF shall be amended from time to time whenever any of the Town's wholesale water providers amend their respective wholesale rate to the Greenville Water Utility. The WCTF will be based upon the total increase in the cost of purchased water, adjusted for the cost of water line losses and Utility Receipts Taxes.
2. A copy of the schedule of rates and charges adopted herein shall be kept on file and available for public inspection at the offices of the Greenville Municipal Water and Sewer Utility and the Greenville Municipal Water and Sewer Utility Clerk / Treasurer Office.

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 APPENDIX "A"  
 TOWN OF GREENVILLE WATER UTILITY  
 FLOYD COUNTY, INDIANA

SCHEDULE OF WATER TARIFFS – RATES AND CHARGES

For the use of the service rendered by the Greenville Water Utility of the Town of Greenville, Indiana, the following rates and charges are based upon the amount of water supplied by the Greenville Water Utility

. MONTHLY MINIMUM CHARGES REVISED\*

MONTHLY METERED RATES {PER 1,000 GALLONS}	BASE RATE
First 30,000 gallons	\$9.80
Next 30,000 gallons	\$8.15
Over 60,000 gallons	\$7.29

MONTHLY MINIMUM CHARGES UNCHANGED\*

WATER METER SIZE	GALLONS	BASE RATES
5/8 or 3/4 inch meter	Min. 2,500	\$24.10
1 inch meter	10,000	\$96.40
1 1/2 inch meter	27,000	\$260.28
2 inch meter	46,000	\$417.04
3 inch meter	150,200	\$1,172.03

\* Subject to a wholesale water cost tracking factor {WCTF}. The WCTF is occasioned solely by changes in the cost of purchasing water from the Greenville Water Utility wholesale water suppliers. The WCTF may be revised from time to time, based upon changes in the cost of purchasing water for resale from the Greenville Water Utility suppliers. The changes in wholesaler water cost to the Greenville Water Utility, including adjustments for line losses and utility receipts tax, may be adjusted automatically by the Greenville Water Utility.

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- All rates and charges contained within this Ordinance will become effective the first billing cycle of 2015 after passage of this Ordinance and Publishing in the New Albany Tribune. Anticipated adoption date of this Ordinance 2015-WO-010 shall be February 9<sup>th</sup>, 2015.
- Any portion of any prior Ordinance in conflict with the provisions of this Ordinance is hereby repealed.
- This Ordinance is a supplement to Ordinance 2013-WO-051 dated November 11<sup>th</sup>, 2013.
- The Greenville Municipal Water and Sewer Utility and Town of Greenville Clerk Treasurer shall publish this Ordinance within 30 days in the New Albany Tribune {publication of record} after passage in accordance with I. C. 5-3-1-1 through I. C. 5-3-1-9.
- The Town of Greenville Clerk Treasurer shall attach a copy of the publication and related information to the original signed Ordinance and a PDF file shall be added to the electronic file copy of this Ordinance.
- Any unlawful provision found in this ordinance shall not effect the remaining provision.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
9<sup>th</sup> FEBRUARY, 2015.

PRESIDENT OF THE GREENVILLE  
MUNICIPAL WATER / SEWER UTILITY  
COUNCIL AND TOWN COUNCIL

\_\_\_\_\_  
DAVID MOORE

\_\_\_\_\_  
JACK TRAVILLIAN  
CLERK / TREASURER

PREPARED BY: TALBOTTE RICHARDSON



LORCH NAVILLE WARD LLC

December 29, 2014

Chester V. Lorch  
(1900-1972)  
Frank E. Lorch, Jr.  
(1905-1951)  
Basil H. Lorch, Jr.  
(1925-1997)  
Herbert F. Naville  
(1919-2010)

Attn: Town Council  
Town of Greenville  
P.O. Box 188  
Greenville, IN 47124

Subject: Price of Water Being Sold by Floyds Knobs Water  
Company, Inc. (FKWC) to the Town of Greenville

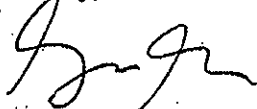
Michael F. Ward  
George W. Gesenhues, Jr.  
Linda B. Lorch  
Robert P. Hamilton  
Timothy J. Naville\*  
Lisa Garcia Reger  
Gregory M. Reger\*  
Cary J. Hurst  
J. David Agnew\*  
Christopher L. King\*  
Stephen T. Naville  
Claire Lorch Hagedorn

Greenville Town Council:

Pursuant to an Order issued by the Indiana Utility Regulatory Commission on November 25, 2014, FKWC has been given approval for a rate increase. Pursuant to the IURC's approval order, the price charged by FKWC to Greenville, effective with the January, 2015 billing cycle, will be \$4.71 per 1000 gallons (which is a 28.77% increase).

Let me know if there are any questions.

Cordially,



George W. Gesenhues, Jr.

GWG/cp

cc: Attn: Theresa Getrost  
Floyds Knobs Water Co., Inc.

40389

Of Counsel  
William C. Moyer\*  
Michael G. Naville

\*Also admitted in KY

**TOWN OF GREENVILLE  
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**IC 8-1.5-3-8 Rates and charges**

Sec. 8. (a) A municipality owning a utility under this chapter shall furnish reasonably adequate services and facilities.

(b) The rates and charges made by a municipality for a service rendered or to be rendered, either directly or in connection therewith, must be non-discriminatory, reasonable, and just.

(c) "Reasonable and just rates and charges for services" means rates and charges that produce sufficient revenue to:

(1) pay all the legal and other necessary expenses incident to the operation of the utility, including:

(A) maintenance costs;

(B) operating charges;

(C) upkeep;

(D) repairs;

(E) depreciation;

(F) interest charges on bonds or other obligations, including leases; and

(G) costs associated with the acquisition of utility property under IC 8-1.5-2;

(2) provide a sinking fund for the liquidation of bonds or other obligations, including leases;

(3) provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals;

(4) provide adequate money for working capital;

(5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and

(6) provide money for the payment of any taxes that may be assessed against the utility.

(d) It is the intent of this section that the rates and charges produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service. Rates and charges too low to meet these requirements are unlawful.

(e) The board may recommend to the municipal legislative body rates and charges sufficient to include a reasonable return on the utility plant of the municipality.

(f) Rates and charges established under this section are subject to the approval of:

(1) the municipal legislative body by ordinance; and

(2) the commission, in accordance with the procedures set forth in IC 8-1-2. The commission shall approve rates and charges that are sufficient, in addition to the cash revenue requirements set forth in subsection (c), to include a reasonable return on the utility plant of the municipality if the legislative body so elects.

(g) Except for a municipally owned utility taxed under IC 6-1.1-8-3, the commission shall approve rates and charges sufficient to compensate the municipality for taxes that would be due

the municipality on the utility property were it privately owned. These rates and charges in lieu of taxes may be transferred to the municipal general fund, if the legislative body so elects.

(h) The commission shall grant a request that an increase in rates and charges not be effective until after the occurrence of a future event if the legislative body so requests.

(i) A municipality that acquires and operates a utility under IC 8-1.5-2 by exercising the power of eminent domain may not impose a special rate, charge, surcharge, or other fee, other than rates and charges approved under this section or otherwise authorized by law, on the customers of the utility in order to pay for the costs associated with acquiring the utility through the exercise of the power of eminent domain.

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**Information Maintained by the Office of Code Revision Indiana Legislative Services Agency  
I.C. 5-3 ARTICLE 3. PUBLICATION OF NOTICES**

**I.C. 5-3-1**

Chapter 1. Publication Procedures

**I.C. 5-3-1-0.4**

**"Newspaper"  
defined**

Sec. 0.4. As used in this chapter, "newspaper" refers to a newspaper:

(1) that:

(A) is a daily, weekly, semi-weekly, or triweekly newspaper of general circulation;

(B) has been published for at least three (3) consecutive years in the same city or town;

(C) has been entered, authorized, and accepted by the United States Postal Service for at least three (3) consecutive years as mail-able matter of the periodicals class; and

(D) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; or

(2) that:

(A) is a daily, weekly, semi-weekly, or triweekly newspaper of general circulation;

(B) has been entered, authorized, and accepted by the United States Postal Service as mail-able matter of the periodicals class;

(C) has at least fifty percent (50%) of all copies circulated paid for by subscribers or other purchasers at a rate that is not nominal; and

(D) meets the greater of the following conditions:

(e) The newspaper's paid circulation during the preceding year is equal to at least fifty percent (50%) of the paid circulation for the largest newspaper with a periodicals class permit located in the county in which the newspaper is published, based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service.

(ii) The newspaper has an average daily paid circulation of one thousand five hundred (1,500) based on the average paid or requested circulation for the preceding twelve (12) months reported in the newspaper's United States Postal Service Statement of Ownership published by the newspaper in October of each year or based on the newspaper's initial application for a permit from the United States Postal Service.

*As added by P.L. 64-1995, SEC.1. Amended by P.L. 38-1997, SEC.1; P.L. 169-2006, SEC.1.*