

LEBANON UTILITY SERVICE BOARD
Lebanon, Indiana

October 29, 2025

Council Chambers

5:00 P.M.

Board:

Neil Taylor, Chairman
Bill Stoner, Vice Chairman
Tim Hudson, Secretary
Aaron Smith, Member
Anne Patterson, Member

Staff:

Ed Basquill, General Manager
Jeff Jacob, Legal Counsel
Sandra Morgan, CFO
Jeff Greeno, Electric Ops. Manager
Ryan Ottinger, W & WW Manager
Danielle Bannourah, Exec Assistant

Guests:

John Lightner, BF&S

1. Chairman Taylor called the October 29, 2025, meeting of the Lebanon Utility Service Board to order at 5:00 P.M.
2. Pledge of Allegiance to the American Flag was observed.
3. Vice Chairman Stoner made a motion to approve October 8, 2025, minutes. Member Patterson seconded the motion. Motion carried.
4. Chairman Taylor opened the floor for public comment.

Danielle Whitlock, expressed her questions & concerns regarding the data center near her property on 280 South and the use of wells. Danielle stated that she is aware there are four wells plus test wells on that location being used during the construction. Danielle stated she has been in contact with DNR to have their well water levels check and monitored, since they are already experiencing some dropping. Jeff Jacob, Legal Counsel stated that there are five wells however Lebanon Utilities does not regulate well usage. He continued that Lebanon Utilities provides water for new projects. He stated that from his understanding there were 15 wells on the site that have been decommissioned and 5 new wells that are for construction purposes, not systems, not operational, but for filling ponds and for construction purposes. Jeff stated that he believes once the facility becomes up and running it will not be using wells. Once Lebanon Utilities has water available, they will not only have to stop drawing from the wells but they also have to pull the pumps and will have to go through a decommissioning process with Board of Health and IDEM potentially. Marshall Whitlock joined his wife to speak. He asked if the well water will be used for business. Jeff Jacob explained that Lebanon Utilities will not be using any water from these wells, that it is a private user going in at that site. Danielle Whitlock asked if the wastewater from these plants are going to be required to treated back to the city water is there going to be water returned to groundwater that will contaminate or potentially contaminate groundwater wells and the people that rely on them. Jeff Jacob Legal Counsel stated that it will meet Lebanon standards for returning to our plant. We have a sewer use ordinance for this and if it falls out of those ranges there are surcharges that attach and then beyond that there are penalty provisions that we attach. The water then in plan will go back to the Eagle Creek Reservoir. Danielle also asked what will happen with the other waste, byproduct waste that's left over after a water evaporation or that comes from the plant itself. The Board stated that the State or IDEM is probably involved in that sort of waste. Jeff Jacob stated that water that is reused will still have to meet our standards before it comes to our plant. He also stated that Lebanon Utilities has methodologies to check that to make sure that's happening and regulate that. It is then treated and returned in theory to Eagle Creek Reservoir. The Board stated that wastewater will not be going in the ground. It will be sent to our wastewater treatment facility.

Jodi Stewart stated she would like to read a notice that was circulated in June of this year (2025). She stated it was sent to the Mayor, City Council, the Governor, the House of Representatives, the Senate and several other elected officials received this. Jodi stated that in July she was in contact with Ben with the Planning and Zoning Department where she questioned him regarding some drilling that she saw in her area. Jodi stated that Ben assured her that the drilling was for core samples and that the City had a code that disallowed for the drilling of any wells within the City limits to access any water. Jodi Reads her notices as follows:

Judicial Notice and Demand to Conserve The People's Natural Resources Notice to Agent is Notice to Principal and Notice to Principal is Notice to Agent. I, Jodi Stewart, one of the People as seen in the 50 State Constitutions, (Republican in form), Sui Juris, do present you, this Notice, by Necessity, that you and your agents may provide immediate due care: Please take notice that all political power is inherent in the People (Indiana Constitution Article 1 Section 1) and that the People have a right to lawfully instruct their government (Indiana Constitution Article 1 Section 31) and that entities, including corporations and bodies politic (government), are created with the permission of the People and are obligated to act in good faith and with due regard solely for the People's benefit. (See evidence below) Maxim of Law: Good faith demands that what is agreed upon shall be done. Maxim of Law: The welfare of the people is the supreme law; And Please take further notice that beginning on November 26, 2024 the People have served over one hundred (100) notices to local and state government officers, instructing elected officers, as the People's government servants, to provide remedy in order to cease and desist using public money for non-public purposes such as economic development and showing claims, each of which were supported by the express-written constitutional text, the highest law, and maxims of law (which are automatically implied in any contract and universally accepted as being true rules and principles of law). This notice also instructed State government servants to provide public notice to all departments of all state and local governments within the State of Indiana and gave specific amounts of time to rebut or contradict the law and claims provided by the People. The People received no public response that in any way followed the terms stated in the notice. The People recognize that all noticed government servants have tacitly acquiesced to such claims. The notice was read into the public record during the Lebanon City Council meeting December 9, 2024 (see evidence at the following link: <https://www.youtube.com/watch?v=ds2-jnGtVRw#t=18m44s>); And Please take further notice that all 50 State Constitutions and the Constitution of the United States of America are the highest law and that the People's natural resources, such as water, belong to them and that the government exists to preserve such resources for the benefit of the People. (See evidence below). Pennsylvania Constitution Article 1 Section 27 - Natural Resources and the Public Estate: The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment.. .public natural resources are the common property of all the people, including generations yet to come. (Excerpt) Hawaii Constitution Article 11 Section 1 - Conservation and Development of Resources: All public natural resources are held in trust by the State for the benefit of the people. (Excerpt) (See also Louisiana Constitution Article 9 Section 1, Rhode Island Constitution Article 1 Section 17, Alaska Constitution Article 8 Section 2, Montana Constitution Article 9 Section 1, Michigan Constitution Article 4 Section 52, North Carolina Constitution Article 14 Section 5, Texas Constitution Article 16 Section 59, and Virginia Constitution Article 11 Section 1); And Please take further Notice that the conservation of the People's natural resources is an unavoidable obligation and the use of the People's natural resources for unauthorized purposes is an unofficial act for which there is no immunity (See *Trump v. United States, 603 U.S. __ (2024)*). Question: Where in the Indiana Constitution is there a grant of authority to use the People's natural resources for unauthorized purposes such as economic development funded with public money? Failure to show this constitutional provision means you understand and agree that the People's natural resources cannot be utilized for unauthorized uses and such resources must be conserved solely for constitutionally authorized purposes. Please take final Notice it is my wish, order, and demand that you provide remedy by immediately ceasing and desisting using the People's natural resources for unauthorized purposes such as economic development funded with public money and by providing public notice of the same to all departments

of all state and local governments within the State of Indiana. This order and demand includes the use of eminent domain to provide the People's natural resources for such unauthorized purposes.

If you believe that the government has been granted power to use the People's natural resources for unauthorized purposes, please respond by showing the constitutional grants of authority, or you agree that this practice is unlawful. Furthermore, please respond if you disagree with any of the claims in this Notice. All responses shall be made within five (5) days receipt of this Notice by sworn affidavit, point by point, under penalty of perjury, or you agree by tacit acquiescence to all claims herein, and this notice shall stand as evidence against you in all courts of record that no court may rehear this matter. That this matter may be heard by an arbitrator of my choice and that if remedy as instructed is not given, the people to whom you swore an oath, will recognize it is being done purposely with full knowledge, malice and intent. All responses not sworn under penalty of perjury are considered non-responses. This notice is sent in the peace and love of Jesus Christ, that you provide due care to those who hold all political power, the people.

5. Jeff Jacob, Legal Counsel read Resolution 2025-16. Secretary Hudson made a motion to approve Resolution 2025-16 of the City of Lebanon Utilities Service Board Designating Utility Allocations to the Civil Water District and LEAP Water District the Water Supply and Wastewater Capacity. Member Smith seconded the motion. Motion carried.
6. Ryan Ottinger, Water & Wastewater Operations Manager asked the Board to approve the Water Supply & Wastewater Capacity Pre-Allocation Reservation Agreements. Member Patterson made a motion to approve the Water Supply and Wastewater Capacity Pre-Allocation Reservation Agreements with Spectra PropCo, LLC for the Paddock Place project; Lennar Homes for the Auburn Meadows Project subject to the removal of the execution date. Secretary Hudson seconded the motion. Motion carried.
7. Jeff Jacob, Legal Counsel read Resolution 2025-17. Vice Chairman Stoner made a motion to approve Resolution 2025-17 Recommending The Waiver Of Certain Payment In Lieu Of Taxes (PILOT) Obligations And Repealing Resolution 2010-07. Member Smith seconded the motion. Motion carried.
8. Vice Chairman Stoner made a motion to table the Water & Wastewater Agreement with ORLA, LLC. Member Smith seconded the motion. Motion carried.
9. Jeff Jacob, Legal Counsel read Resolution 2025-18. Vice Chairman Stoner made a motion to approve Resolution 2025-18 Authorizing The Prepayment Of Construction Costs To The City Of Lebanon. Secretary Hudson seconded the motion. Motion carried.
10. Jeff Greeno asked the Board to approve Truck #3's Repair. Secretary Hudson made a motion to retroactively approve Altec's to repair order for Truck #3 in accordance with IC 36-1-4-16 for the not to exceed amount of \$22,298.25. Vice Chairman Stoner seconded the motion. Motion carried.
11. Ryan Ottinger, Water & Wastewater Operations Manager asked the Board to approve the Well Cleaning and Maintenance RFP Recommendation. Vice Chairman made a motion to approve pursuing a contract with Peerless Midwest, Inc. for the Well and High Service Pump Maintenance Program. Member Patterson seconded the motion. Motion carried.
12. Ryan Ottinger, Water & Wastewater Operations Manager requested the Board approve the Reese Park Pump Replacement. Vice Chairman Stoner made a motion to approve the purchase of the Tsurumi Avant Chopper pumps from BBC Pump & Equipment for an amount not to exceed \$56,896.00. Member Patterson seconded the motion. Motion carried.
13. Vice Chairman Stoner made a motion to approve the claims/payroll/transfers dated October 22, 2025, in the amount of \$1,404,716.78 for claims and payroll and \$9,118,908.17 for transfers. Member Patterson seconded the motion. Motion carried.

14. Vice Chairman Stoner made a motion to approve the claims/payroll/transfers dated October 29, 2025, in the amount of \$585,768.36 for claims and payroll and \$0 for transfers. Secretary Hudson seconded the motion. Motion carried.
15. Chairman Taylor asked for any other business to be brought before the Board. No other business received.
16. Chairman Taylor opened the floor for public comment. Jodi Stewart stated the Board doesn't interact with the community like she does on a daily basis, she continued stating that there are a lot of community member out in the LEAP District that are very concerned. This project is within the City limits. The City has a code in place that enforces that there are to be no wells drilled within City limits. ORLA, the Domino project is now located in the City limits. Jodi stated there are five wells already and that this well sit directly adjacent to her property. She said she has already had her well tested and currently it sits four feet below level from when it was originally put in. She stated that she has seen on a daily basis the multiple truckloads of water that are being brought in for the Lily Foundry project. She stated that this scares her because she believes these well that they are going to be able to use are not going to be monitored. She stated that we wont know how much water withdrawals they are doing from these wells to support construction because they want to get started 2 years early. She stated that if we approve this we will be setting a precedent for any other company that IEDC chooses to send our way. Jodi stated that it will mess with her nature resources that are in the constitution.
17. The next Utility Board meeting will meet as scheduled on Wednesday November 5, 2025, at 5:00pm. Chairman Taylor asked for a motion to cancel the November 19th LUSB meeting. Secretary Hudson made a motion to cancel the November 19th Lebanon Utilities Service Board Meeting. Vice Chairman Stoner seconded the motion. Motion carried.
18. Hearing no further business to be brought before the Board, a motion was made to adjourn the meeting by Member Patterson. The motion was seconded by Vice Chairman Stoner. Motion carried.

The meeting adjourned at 6:04 PM

APPROVED THIS 5th day OF NOVEMBER 2025

CHAIRMAN OF THE BOARD

ATTEST:

SECRETARY OF THE BOARD