

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: Troy, Aufuldish and Sines

Mr. Aufuldish presented the following resolution and moved its adoption.

RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY STORMWATER MANAGEMENT AGENCY AND THE CHAGRIN RIVER WATERSHED PARTNERS INC.

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and

WHEREAS, the Lake County Stormwater Management Agency is recommending execution of a Memorandum of Understanding between the Lake County Board of Commissioners on behalf of the Lake County Stormwater Management Agency and the Chagrin River Watershed Partners Inc., and

WHEREAS, the Chagrin River Watershed Partners Inc., when and as directed by the Lake County Stormwater Management Agency will undertake and perform such services within its jurisdiction as are necessary and appropriate to carry out Phase II Stormwater Illicit Discharge Detection and Elimination activities and corresponding education activities as set forth in the Agreement. Said Agreement is incorporated herein by reference and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes execution of a Memorandum of Understanding between the Lake County Board of Commissioners on behalf of the Lake County Stormwater Management Agency and the Chagrin River Watershed Partners Inc.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Budget Director; Jill Green, Stormwater Management Agency; and Greg E. Studen, Board President, Chagrin River Watershed Partners, Inc., PO Box 229, Willoughby, OH 44096-0229.

Mr. Troy seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:


"AYES": Commissioners: Troy and Aufuldish

"NAYS": Commissioner: Sines

Resolution adopted,
Amy Elszasz, Clerk

CLERK'S CERTIFICATION

I, Amy Elszasz, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on May 27, 2004, and recorded in the Commissioners' Journal, Volume 2004. WITNESS my hand this 27th day of May, 2004 in Painesville, Ohio.



Amy Elszasz, Clerk
Board of Commissioners, in and
for Lake County, Ohio

Memorandum of Understanding

**Lake County Board of Commissioners
&
Chagrin River Watershed Partners, Inc.**

This Memorandum of Understanding ("MOU") is entered into this 27th day of May, 2004, between the Chagrin River Watershed Partners, Inc ("CRWP"), by its Board of Trustees, and Lake County, by its Board of County Commissioners ("Commissioners"). This agreement shall be subject to annual review and modification as provided below.

Purpose

The Commissioners recognize the need for effective collaboration in carrying out their mandated responsibilities in fulfillment of a National Pollutant Discharge Elimination System ("NPDES) permit from the Ohio Environmental Protection Agency ("OEPA"). The purpose of this MOU is to acknowledge certain duties undertaken by the Lake County Stormwater Management Department ("LCSMD") in fulfillment of it's OEPA permit number 3GQ00068*AG, authorizing discharges of stormwater from a municipal separate storm sewer system (MS4), and to define the role of the CRWP in assisting the LCSMD to fulfill those duties.

The parties to the MOU hereby recognize the following:

1. The LCSMD was formed by the Lake County Board of Commissioners pursuant to O.R.C. 6117.01 to assist local communities in the management of stormwater runoff and related resource management issues. LCSMD, through its staff, is a recognized expert in stormwater management issues.
2. The CRWP was formed by the local governments of the Chagrin River watershed, including Lake County communities, to assist in the management of storm water runoff and related resource management issues. CRWP, through its staff, is a recognized expert in stormwater management issues.
3. To ensure compliance with the NPDES stormwater permit, both the LCSMD and the CRWP will work together to provide stormwater services to local residents.
4. The Lake County Board of Commissioners desire to retain CRWP to assist the LCSMD to fulfill its mission.

Duties of LCSMD

Under this MOU, LCSMD agrees to the following:

1. Use its best faith efforts to ensure that stormwater services are provided to its member communities (Attachment A) as required in NPDES permit number 3GQ00068*AG.
2. Work with and consult CRWP in fulfilling its permit obligations.
3. Work with and consult with its partners and co-permittees in order to coordinate stormwater management services among its partner organizations (Attachment A) to enable its member communities to meet their obligations under the NPDES permit.
4. Employ the technical services that can be provided by the CRWP.
5. Endorse and apply its recommendations with those made by the CRWP when the LCSMD deems them technically feasible and economically reasonable solutions to resource management and conservation problems.

Duties of CRWP

For Chagrin River Watershed Partners, Inc. member communities

CRWP agrees to provide the following services to CRWP member communities related to the LCSMD NPDES stormwater permit:

1. **Minimum Control Measure #1 and #2 – Public Education and Outreach and Public Involvement and Participation**
 - a. Prepare technical research for education program.
 - b. Conduct at least one stormwater management workshop each year.
 - c. Assist with educational workshops for developers and private groups.
 - d. Provide technical assistance for Public Involvement and Participation program.
 - e. Prepare community specific stormwater presentations when requested.
2. **Minimum Control Measure #3 – Illicit Discharge Detection and Elimination**
 - a. Assist with the development and implementation of a regulation to prohibit illicit discharges and authorize access for inspection.
 - b. Provide mapping consultation services to ensure OEPA compliance.

3. Minimum Control Measure #4 – Construction Site Stormwater Runoff Control

- a. Assist with the development and implementation of erosion and sediment control regulations.

4. Minimum Control Measure #5 – Post Construction Stormwater Runoff Control on New Development and Redevelopment

- a. Assist with the development and implementation of riparian and wetland setback regulations.
- b. Assist with the development and implementation of stormwater management rules and regulations.
- c. Work with developers to determine site-specific best management practices, as requested.

5. Minimum Control Measure #6 – Good Housekeeping and Pollution Prevention

- a. Provide technical assistance to LCSMD when creating the good housekeeping and pollution prevention program.

6. Other

- a. Provide technical assistance to LCSMD to create a stormwater fee credit program to encourage improvement in water quality of Lake County watercourses.
- b. Provide an annual summary of services provided to LCSMD for inclusion in annual Stormwater Management Plan report.

CRWP agrees to provide such additional services not specifically referred to in this MOU as may be reasonably requested by LCSMD.

For LCSMD Participating Communities Outside of the Chagrin Watershed

CRWP agrees to provide the following services to communities outside of the Chagrin watershed related to the LCSMD NPDES stormwater permit:

1. Minimum Control Measure #1 and #2 – Public Education and Outreach and Public Involvement and Participation

- a. Prepare technical research for education program.
- b. Conduct at least one stormwater management workshop each year.
- c. Assist with educational workshops for developers and private groups.

2. **Minimum Control Measure #3 – Illicit Discharge Detection and Elimination**
 - a. Provide technical assistance to LCSMD as LCSMD assists communities in implementing a regulation to prohibit illicit discharges and authorize access for inspection.
3. **Minimum Control Measure #4 – Construction Site Stormwater Runoff Control**
 - a. Provide technical assistance to LCSMD as LCSMD assists communities in implementing erosion and sediment control regulations.
4. **Minimum Control Measure #5 – Post Construction Stormwater Runoff Control on New Development and Redevelopment**
 - a. Provide technical assistance to LCSMD as LCSMD assists communities in implementing riparian and wetland setback regulations.
 - b. Provide technical assistance to LCSMD as LCSMD assists communities in implementing stormwater management regulations.
5. **Minimum Control Measure #6 – Good Housekeeping and Pollution Prevention**
 - a. Provide technical assistance to LCSMD when creating the good housekeeping and pollution prevention program.

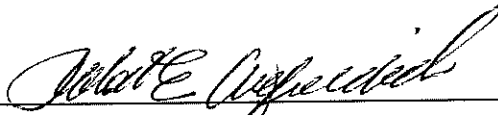
Agreed Procedures

1. LCSMD and CRWP will meet periodically to review the effectiveness of this agreement, coordinate individual and joint progress and exchange information.
2. All services provided by LCSMD and CRWP shall be offered on a non-discriminatory basis without regard to race, color, national origin, religion, age, marital status or handicap.
3. CRWP recognizes the LCSMD's obligation to make its reports and other written materials available to the public on request in accordance with the Ohio Public Records Act.
4. The LCSMD will pay CRWP for the services provided to the LCSMD under this agreement. It is understood that this payment may change annually depending on the services required each year. Payments will be made to CRWP after the receipt of quarterly invoices.
5. This agreement may be amended or terminated at any time by mutual consent, or terminated by either party giving six months notice in writing to the other. Termination will begin at the end of the calendar year.

6. The parties agree that each party shall exercise its independent judgment as to the suitability of advice given pursuant to this MOU, and shall not hold the other party liable for any of the result of such advice.

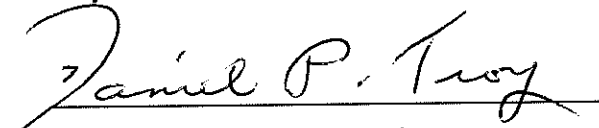
In witness thereof, the parties here to have affixed their hands and seals in Lake County, Ohio this 27th day of MAY, 2004:

LAKE COUNTY BOARD OF COMMISSIONERS



Robert E. Aufuldish, ~~PRESIDENT~~ COMMISSIONER

Raymond E. Sines, Commissioner



Daniel P. Troy, Commissioner

CHAGRIN RIVER WATERSHED PARTNERS, INC.

Greg E Studen

Greg E. Studen, Board President

Approved as to form:

Andrew

Lake County Prosecuting Attorney

5-21-04
May 12, 2004
Date

Member Communities:

Concord Township
Fairport Harbor Village
Grand River Village
City of Kirtland
Kirtland Hills Village
Leroy Township
Madison Township
Mentor on the Lake City
Painesville City
Painesville Township
Perry Township
Perry Village
Timberlake Village
Wickliffe City
Willoughby Hills City
Willowick City

Partners:

Chagrin River Watershed Partners, Inc.
Lake County General Health Department
Lake County Soil and Water Conservation District
Ohio State University Extension

Chagrin River Watershed Partners, Inc.

Services for Phase II

Program Development & Implementation

August 2002

The Chagrin River Watershed Partners (CRWP) offers a variety of member services to assist in the development and implementation of Phase II Storm Water Management Programs. These services are briefly described below. Please contact CRWP for more information.

Developing Your Storm Water Management Program (2002)

- ✓ **Ohio EPA Updates & Addressing Member Concerns:** CRWP will continue to keep members informed on the latest developments in Ohio EPA's implementation of Phase II. This will include working with Ohio EPA to address member questions and concerns.
- ✓ **Coordination of Phase II Service Providers:** County soil and water conservation districts, health departments, and solid waste management authorities currently provide services, or have the expertise to provide services, necessary for Phase II designated communities to implement successful Storm Water Management Programs. CRWP is working with these service providers across the Chagrin River watershed to determine what specific services these organizations will offer and how they will be delivered.
- ✓ **Assistance with Drafting Storm Water Management Programs:** CRWP will assist communities in drafting their Storm Water Management Programs in several ways. We have developed a series of worksheets to help you inventory your current programs and areas where additional activities may be necessary for Phase II. We have also developed a Storm Water Management Program outline and a list of recommended best management practices to satisfy Phase II requirements. These materials are available to members and we will assist you in their review and completion.

Implementing Your Storm Water Management Program (2003 & on-going)

- ✓ **Workshops & Trainings:** Since its formation, CRWP has been a leader in the watershed by providing educational workshops on the latest developments in storm water management. In 2003 CRWP will continue this focus with workshops assisting in the implementation of Phase II **Minimum Control Measure #5 Post Construction Storm Water Management in New Development & Redevelopment**. These workshops will each address a different aspect of implementing structural and nonstructural storm water management practices in Northeast Ohio.
- ✓ **Model Ordinances:** Phase II **Minimum Control Measures #3 Illicit Discharge Detection & Elimination, #4 Construction Site Storm Water Runoff Control, and #5 Post Construction Storm Water Management in New Development & Redevelopment** require communities to implement regulatory mechanisms. CRWP will provide members with model ordinances compliant with Ohio EPA's requirements under each of these measures and will assist in tailoring these to specific member concerns. Many of these ordinances, such as riparian setbacks, are already available to members.
- ✓ **Educational Services including Newsletter Articles and Speakers:** To assist members in complying with Phase II **Minimum Control Measures #1 Public Education and Outreach and #2 Public Involvement and Participation**, CRWP will work with other service providers to offer print ready copy for newsletters, web sites, and other outlets on various aspects of watershed and storm water management. Our staff will also be available to participate in community meetings on storm water topics.

For More Information, Please contact
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Chagrin River Watershed Partners
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Willoughby, Ohio 44096-0229
(440) 975-3870
drywell@earthlink.net