

Date: August 9, 2022

Resolution No. 22-681

Title: Authorization to Enter into a Memorandum of Understanding with the Village of Holland for Phase II Small MS4 Ohio EPA Requirements

Department/Agency: Lucas County Engineer's Office

Contact: Kelleigh Decker, Administrative Deputy

Summary/Background: The Village of Holland is a co-permittee with the BLCC for General Permit OHQ000004 under the Ohio Environmental Protection Agency (OEPA) for Small Municipal Separate Storm Sewer System.

Recognizing the need for a close-working relationship in carrying out the responsibilities for which each is charged, the Engineer and the Village want to enter into a Memorandum of Understanding. Such cooperation allows the joint effort in the solution of problems relating to Phase II small MS4 Ohio EPA requirements.

Budget Impact: *N/A*

Statutory Authority/ORC: *N/A*

Commissioner Gerken offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

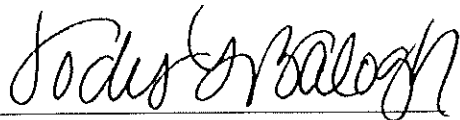
Section 1. This Board authorizes the Lucas County Engineer to enter into a Memorandum of Understanding with the Village of Holland for Phase II small MS4 Ohio EPA requirements.

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Gerken voted yes
Commissioner Skeldon Wozniak voted yes
Commissioner Byers voted yes



Jody L. Balogh, Clerk



County of Lucas Toledo, Ohio

Inter-Office Communication

To: Prosecutor's Office

From: Kelleigh Decker, Administrative Deputy - Lucas County Engineer's Office

Contractor / Vendor / Agreement with: Village of Holland

Address: 1245 Clarion Avenue
Holland, OH 43528

Contract providing for: Memorandum of Understanding for assisting the Village with fulfilling
minimum control measurers relating to Phase II small MS4 Ohio EPA
Requirements

Amount of original contract: _____

Certify from fund number: _____

Amendment: _____

Total: _____

07-26-2022

Date

Prosecutor: Attached please find 1 copies of contract documents.
Please approve as to form.

Date

Resolution date if already approved.

Date

To Support Services.

Date

To Auditor for certification if required.
Auditor to send 3 certification sheets.
Auditor to keep copy of attached document.

8/10/2022

Date

Date completed document returned to department from Support Services.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE VILLAGE OF HOLLAND
AND
THE LUCAS COUNTY ENGINEER**

Upon this _____ day of _____, _____, this Memorandum of Understanding was entered into by and between the Village of Holland, hereinafter referred to as the **Village**, and the Lucas County Engineer, herein referred to as the **Engineer**.

Recognizing the need for a close-working relationship in carrying out the responsibilities for which each is charged, the Engineer and the Village enter into this Memorandum of Understanding as a foundation of an enduring cooperative relationship. Such cooperation allows the joint effort in the solution of problems relating to Phase II small MS4 Ohio EPA requirements.

THE ENGINEER AGREES TO:

1. Assist the Village in fulfilling minimum control measures (MCM) #3-6 of the small MS4 Ohio EPA permit, including:
 - a. Reviewing and providing comments prior to approval of stormwater pollution prevention plans (SWPPP).
 - b. Perform an initial inspection and subsequent inspections of construction sites once monthly.
 - c. Provide inspection reports to the Village after each inspection.
 - d. Draft Notice of Violation (NOV) letters to be sent to owners in non-compliance of Ohio EPA's Construction General Permit (CGP), and send the draft to the Village.
 - e. Perform an inspection of all post-construction best management practices (BMP) in the Village once a year, and provide the report(s) to the Village.
 - f. Assist the Village with information needed for the small MS4 Annual Report.
 - g. Assist the Village with MCM #6, Good Housekeeping and Pollution Prevention of the Village garage facility's inspections.
 - h. Perform storm sewer mapping in GIS for the Village, as required.
 - i. Inspect outfalls of the Village MS4 system in compliance with MCM #3, utilizing the support of Toledo Lucas County Health Department or other entity.

2. Keep the Village informed of new practices affecting stormwater management in the County.
3. Bill the Village semiannually for time spent on the above tasks, at the current hourly rate of pay for the personnel performing the task.
4. Provide the following as a liaison:

Administrative Contact: Kelleigh Decker, Administrative Deputy
Lucas County Engineer's Office
1049 S. McCord Road, Building A
Holland, Ohio 43528

Technical Contact: Jay Mosley, Stormwater Program Manager
Lucas County Engineer's Office
1049 S. McCord Road, Building A
Holland, Ohio 43528

THE VILLAGE AGREES TO:

1. Provide copies of plans prior to review for SWPPP approval to the Engineer.
2. Understand that although the Engineer will provide assistance in reviewing plans, inspecting sites, conveying information to the Village and permittees of sites, and inspecting post-construction BMP's, the Village is solely responsible for enforcing the Village's codes and enforcement procedures set forth for non-compliance.
3. Reimburse the Engineer at the appropriate rate for time billed biannually.
4. Provide the following as a liaison:

Administrative Contact: Leslie Ferman
Village of Holland
1245 Clarion Avenue
Holland, Ohio 43528

Technical Contact: Leslie Ferman
Village of Holland
1245 Clarion Avenue
Holland, Ohio 43528


IT IS MUTUALLY UNDERSTOOD BY ALL:

1. The Engineer and the Village will meet periodically as needed to review and update the Memorandum of Understanding, and where possible, coordinate their individual progress and activities for maximum mutual benefit.

2. This Memorandum of Understanding may be amended or terminated at any time by mutual consent of the parties hereto or may be terminated by either party giving sixty (60) days' notice, in writing, to the other.
3. This Memorandum of Understanding is not intended to create, and does not create any contractual rights of the Parties hereto, nor does it impose upon either Party hereto any obligation not specifically set forth herein.

In witness whereof, this Memorandum executed and agreed on the day, month, and year written:

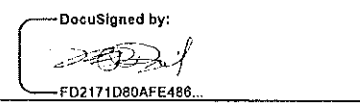
Village of Holland:

Signature: 

Title: MAYOR

Date: 7-8-2022

Lucas County Engineer:

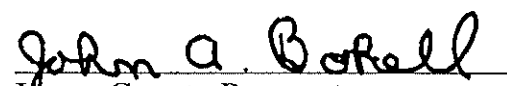
Signature: 

Title: Lucas County Engineer


Date: 8/10/2022

Approved as to form:

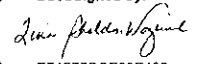

Paul Skaff, Village Solicitor


Lucas County Prosecutor

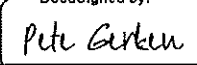
Board of Lucas County Commissioners

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Gary L. Byers, President

DocuSigned by:

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Tina Skeldon Wozniak

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Pete Gerken