

RESOLUTION NO. 2009-121

SPONSOR Mr. Pry

DATE April 13, 2009

COMMITTEE: Public Works

A Resolution authorizing the County Executive to execute and submit to the Ohio Environmental Protection Agency ("OEPA") a Notice of Intent ("NOI") for coverage for the County of Summit under the OEPA General Permit for Municipal Separate Storm Sewer Systems ("MS4") and to execute and submit to the OEPA an MS4 Co-Permittee form for the County, to authorize the County Engineer to submit to the OEPA all NOIs and MS4 forms for all Co-Permittees and authorizing the expenditure of \$200.00 for NOI and MS4 permit fees, for the Engineer, and declaring an emergency.

WHEREAS, the Ohio Environmental Protection Agency ("OEPA") regulates compliance in Ohio with the National Pollutant Discharge Elimination System Phase II; and

WHEREAS, the OEPA regulations required that the County of Summit and townships and municipalities within the urbanized areas of Summit County apply for a permit to discharge storm water from their Municipal Separate Storm Sewer Systems, ("MS4") on or before March 10, 2003; and

WHEREAS, in 2003, the County of Summit, all townships within the County of Summit, Metro Parks Serving Summit County, the Village of Boston Heights, the Village of Clinton, the City of Green, the Village of Lakemore, the Village of Mogadore, the City of Munroe Falls, the Village of New Franklin, the Village of Northfield, the Village of Reminderville, the Village of Richfield, the Village of Silver Lake, the City of Stow, the City of Tallmadge, and the City of Twinsburg jointly applied for and were issued a joint permit for MS4 discharges by OEPA; and

WHEREAS, during 2008, the City of Barberton, the City of Cuyahoga Falls, the City of Macedonia, and the City of Norton requested to be included in the County of Summit joint permit upon the expiration of the current permits; and

WHEREAS, on February 4, 2009, the OEPA issued a letter advising the County of Summit and Co-Permittees that it is necessary to renew the permit to authorize storm water discharges from regulated small MS4s; that in cases where multiple MS4s are entering into a Co-Permittee arrangement, the MS4 Co-Permittee form should be completed by each Co-Permittee and submitted with the Notice of Intent ("NOI") forms; that County shall submit the NOI and the County Engineer shall submit a Co-Permittee form; and that the NOI form and any MS4 Co-Permittee forms and a check for \$200.00 made payable to "Treasurer, State of Ohio" within ninety (90) days of receipt of the OEPA letter be sent to Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049; and

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to authorize the County Executive to execute and submit to the OEPA the aforementioned NOI for coverage for the County under the MS4 General Permit for the County, to execute and submit to the OEPA an MS4 Co-Permittee form for the County, to authorize the County Engineer to submit to the OEPA all NOIs and MS4 forms for all Co-Permittees and to authorize the expenditure of \$200.00 for NOI and MS4 Co-Permittee form fees;

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

The County Executive is hereby authorized to execute and submit to the Ohio Environmental Protection Agency ("OEPA") a Notice of Intent ("NOI") for coverage for the County of Summit under the OEPA General Permit for Municipal Separate Storm Sewer Systems ("MS4") and to execute and submit to the OEPA an MS4 Co-Permittee form for the County and the County Engineer is hereby authorized to submit to the OEPA all NOIs and MS4 forms for Co-Permittee Townships, Villages and Cities in all Council Districts.

SECTION 2

The expenditure of \$200.00 made payable to "Treasurer, State of Ohio" and sent to Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio, 43216-1049 is hereby authorized.

SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that it will immediately allow the County and Co-Permittees to be in compliance with OEPA regulations.

SECTION 4

Provided this Resolution receives the affirmative vote of eight (8) members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 5

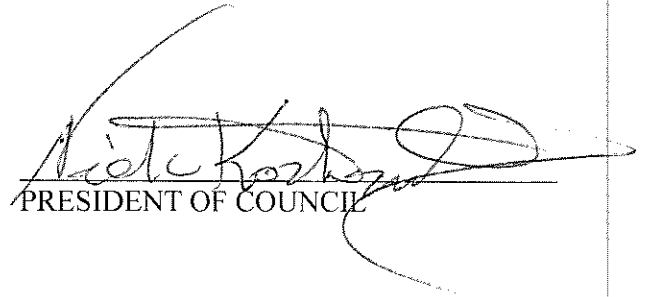
It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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INTRODUCED March 30, 2009

ADOPTED April 13, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED April 13, 2009


EXECUTIVE

ENACTED EFFECTIVE April 13, 2009

Voice Vote: 9-0 YES: Crossland, Feeman, Kostandaras, Poda, Prentice,
Rodgers, Schmidt, Shapiro, Smith ABSENT: Comunale, Crawford