Storm Water Cost Share Program

Purpose

The Butler County Storm Water District's Storm Water Cost Share Program provides financial and technical assistance to reduce water quality impacts from non-point sources. This program is available to District Co-permitees, subject to the NPDES Phase II, and wants to improve water quality though structural and non-structural best management practices. **Co-permittees may also choose to apply Cost Share Funds towards District's Large Grant Program.**

Application

If you wish to proceed under the Butler County Storm Water District's Storm Water Cost Share Program, fully complete the attached Cost Share Application. Your application is a request for the District to consider your project for funding and grants permission for the District to enter subject property to perform preliminary fieldwork and review of your request.

District Review

Butler County Storm Water District reviews all applications on a *semi-annual basis (January & June)*, and recommends to the County Engineer to approve or deny each request. To be eligible to participate in the District's Storm Water Cost Share Program, Co-permitees must be current on their Annual Facility Report. Upon approval of the application, the District will meet with applicant to discuss scope details. After completing a scope, an Agreement or Memorandum of Understanding is required of the applicant. This Agreement or Memorandum of Understanding is to solidify the scope between the parties.

Required Signatures

Co-permitee as City – City Manager, with designated authority from City Council
Co-permitee as Village – Mayor, with designated authority from Village Council
Co-permitee as Township – Board President, with approval resolution attached
Single-Family Property – All owners of record
Homeowners Association Property – Board President, within common areas
Non-residential Property – All owners of record or by a designated corporate authority

Funding

Butler County Storm Water District will make funds available per its Cost Share Table annually, as the District's budget allows. **These funds will be available annually and can carry or roll over year to year for a maximum of five (5) years.** Cost Share Program does not cover or reimburse costs associated with the Co-permitee, including but not limited to: administrative, personnel, labor, benefits, employee travel, communication, office supplies, postage, memberships, legal fees and insurance.

Cost Share Table

Co-permitee	Base Fund	ERU %	Co-permitee Fund
Fairfield Twp	$10,000	10.2	$16,628
Hanover Twp	$10,000	4.3	$12,779
Lemon Twp	$10,000	1.7	$11,113
Liberty Twp	$10,000	14.7	$19,584
Madison Twp	$10,000	6.0	$13,932
Millville, Village	$10,000	0.4	$10,253
New Miami, Village	$10,000	1.4	$10,910
Ross Twp	$10,000	4.5	$12,934
Seven Mile, Village	$10,000	0.4	$10,237
St. Clair Twp	$10,000	5.0	$13,280
Trenton, City	$10,000	4.9	$13,158
Wayne Twp	$10,000	1.8	$11,142
West Chester Twp	$10,000	44.7	$39,050

Cost Share Base Total	$130,000
Cost Share Pool	$65,000
Total Cost Share Fund	$195,000

Co-permitee Fund = (Base Fund + (%ERU x Pool)

Cost Share Application

We, the undersigned Co-permitee and owners of the subject property, are within Butler County Storm Water District's NPDES Phase II affected area. We are interested in participating in the District's Storm Water Cost Share Program to reduce non-point source pollution through either structural or non-structural best management practices; and

We hereby submit our application to the Butler County Storm Water District, under provisions set forth by the District's Cost Share Policy, for assistance in making improvements in, over or through our property; and

Co-permitee is known to be compliant with annual reporting requirements of the District; and

Upon application approval by the County Engineer, we agree to enter into an Agreement or Memorandum of Understanding outlining the details of the project; and

We further acknowledge and agree that the improvement undertaken on our property shall in no way constitute an acceptance by the Butler County Storm Water District of the improvement, watercourse, drainage way, or other drainage structures on the subject property as part of the District's drainage system or for the purposes of liability, maintenance or any other area of responsibility for the subject property.

To that end, we hereby grant Butler County Storm Water District permission to enter and cross subject property for doing any type of work related to the design and construction of the improvement.

George Lang George L. Lang — 6/23/15

Co-permitee Board President, Township — Date

Property Owner — Date

(See Attached MOU)

Property Owner — Date

Judith C. Boyko Judith C Boyko — 6.24.15

Co-permitee ~~Clerk or~~ Administrator — ~~Resolution Number~~ Date

Co-permitee Information

Contact Person:	Tim Franck
Title / Position:	Community Services Director
Telephone Number:	513-759-7300
Cellular Number:	513-720-9119
Fax Number:	513-779-9369
E-mail Address:	tfranck@westchesteroh.org

Property Owner Information

Owners Name:	(See Attached List)		
Address Number:		Street Name	
Telephone Number:			
Cellular Number:			
Fax Number:			
E-mail Address:			

Property Information

See Attached Map

Parcel Identification Number (PIN):	N/A			
Property Description:	Residential	Commercial	Vacant	
Property Type:	Subdivision Lot	Acreage Tract		
Subdivision Name:				
Plat Envelope:		Page:		
Survey Plat Volume:		Page:		
FEMA Floodplain:	Yes	No	Zone:	
FIRM Community Panel:				
Current Zoning District:				
Existing Landuse:				
Proposed Landuse:				
Current Zoning Violations:	Yes	No	Pending	
If yes or pending, briefly describe violation(s) and code reference				

Improvement Information

Structural BMP ☐ Non-Structural BMP ☐

Retrofit ☐ New Construction ☐ Other ✓

Description of Improvement	Perform necesary engineering and surveying work to identify the existing infrastructure and assess its conditions		
Purpose for Improvement	Assess the storm water system and drainage problem of the Project Limit and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure.		
Water Quality Benefit from Improvement	Potentially minimize siltation caused by ponding		
Anticipated Permitting	N/A		
Long-Term Maintenance & Operation	N/A		
Estimated Schedule	Advertise RFQ for professional services - September 2015 If within Cost Share Program funding amount, contract for services - October 2015		
Cost Estimate	Yes	No ✓	$
Co-Permitee Contribution	Yes	No ✓	$
Is Co-Permitee current with annual reporting to District?	Yes ✓	No	

Attachments

Budget Sheet (Line Item Categories: Testing, Design, Easement, Construction)
Aerial of Subject Property
Site Photographs
Reports or Studies

Property Owner	Address	Parcel #
John Feighery	7002 Pinemill Drive	M5620132000036
Ginger Ruddy	7546 Cincinnati Dayton Road	M5620132000006
Don Donahoe	7562 Cincinnati Dayton Road	M5620132000007
Mary Phillips	7576 Cincinnati Dayton Road	M5620132000008
Bobby Ramey	7594 Cincinnati Dayton Road	M5610025000015
Mae Baker	7591 Cincinnati Dayton Road	M5610025000016

Cobblers Creek

Estimated Storm System

1 inch = 100 feet

BUTLER COUNTY ENGINEER'S OFFICE

BCEO

GREGORY L. HUKKERS, P.E., P.S. BUTLER COUNTY ENGINEER

May 2013

This map is provided as a convenience to the Butler County residents and the suitability of this map for any other use is not guaranteed. This map should never be relied upon to establish with certainty the location of property lines or the location of any other feature in relation to a property line. To establish a property line or the relationship of a feature to a property line you must engage the services of a Professional Surveyor registered to practice in the State of Ohio. In using this map provided by the Butler County Engineers Office, you accept the data as is, without warranty of any kind, either expressed or implied. The Butler County Engineers Office shall not be held liable for any claim for any loss or damage as a result of reliance on the information contained on this map.

Potential Cost Share Projects

Operations

Street Sweeping & Vactor
Leaf Collection / Drywell Cleaning
Restoration – Roadside Ditching
Roadside Erosion – ditch cutting/meandering
Outdoor Storage of Materials – salt, dirt, sand or grindings
Spill Containment Kits – vehicle & facility
Large Spill Response – stream booms & equipment
Employee Training – Pollution Prevention, Illicit Discharge Detection etc.
Public Best Management Practice Demonstration – pervious concrete, bioretention etc

Non-Structural

Zoning Code Up-date – to include water quality/stormwater BMP's
Open Space, Buffer & Forest Preservation
Site Design Standards
Soil Amendments
Storm Water Disconnection Program – rain barrels & rain gardens
Storm Water Training Material / DVD's / Manuals
Groundwater or Surface Water Protection
Public Education Materials / Recycling / Clean-Up Day

Other

Park & Open Space – Dog waste containers
Grants - Local Match / Design / Construction
Engineering Services – Preliminary design for Grants
Streambank Stabilization
Log Jam Removal

MEMORANDUM OF UNDERSTANDING
AMONG
TOWNSHIP OF WEST CHESTER, OHIO
AND
APPLICABLE PROPERTY OWNERS ALONG
CERTAIN SECTION OF CINCINNATI-DAYTON ROAD
AFFECTED BY DRAINAGE MATTER

This Memorandum of Understanding ("MOU") is made and entered into as of this 23rd day of June 23, 2015 (the "MOU Effective Date") by and among the TOWNSHIP OF WEST CHESTER, OHIO, a township and political subdivision in and of the State of Ohio (the "Township") and Applicable Property Owners along a certain section of Cincinnati-Dayton Road affected by a private drainage matter (collectively the "Owners") under the following circumstances:

A. Six (6) properties along the east side of Cincinnati-Dayton Road between Maud-Hughes Road and Liberty Way as illustrated on attached Exhibit A and more specifically defined as parcels: M5620132000036, M5620132000006, M5620132000007, M5620132000008, M5610025000015, M5610025000016, (the "Project Limit") requested Township assistance in resolving an on-going and continually eroding drainage problem; and,

B. The Owners have attempted over the last several years to resolve the matter independently to no avail and requested Township assistance; and,

C. Having no statutory authority or obligation to remedy a drainage matter on private property and having no statutory authority to expend Township funds on any private property drainage matter, the Township determined public funds and resources could not be expended; and,

D. In 2015 to date, the private drainage matter has exacerbated and continued negligence may impact the quality of storm water draining to Gregory Creek and may degrade Butler County public infrastructure downstream and in public right-of-way; and,

E. Through the Butler County Storm Water District "Cost Share Program," there is possible funding and resources available to apply to this drainage matter and to identify the problem(s) and to engineer possible solutions to potential future impact to water quality and the County public infrastructure; and,

F. The Township and Owners agree to co-sponsor an application to the Butler County Storm Water District "Cost Share Program" and to request funding in the amount of $39,050 in 2015 to identify and assess the storm water system and drainage problem of the Project Limit and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure; and,

G. While more definitive agreements will be prepared and executed to codify the agreements contained in this MOU, the purpose of this MOU is to summarize in principle the agreements reached with respect to identification and assessment of the storm water system and drainage problem of the Project Limit and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, the parties agree as follows:

1. The Owners within the Project Limit unanimously and collectively agree to participate and adhere to the terms and conditions of this MOU. One (1) dissenting Owner terminates the MOU and the proposed program governed by it; and,

2. As co-sponsors, the Township and Owners within the Project Limit agree to apply for the Butler County Storm Water District "Cost Share Program" for the amount allocated to West Chester Township in 2015; and,

3. The Owners within the Project Limit unanimously and collectively must be signatories to the "Cost Share Program" application required by the Butler County Storm Water District and herein attached as Exhibit B; and,

4. The Owners within the Project Limit acknowledge, if awarded, funding granted in 2015 from the Butler County Storm Water District "Cost Share Program" will not cover improvement or construction costs and will only be applied to engineering and surveying costs to identify and assess the drainage problem and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure; and,

5. If awarded, the Township agrees to utilize the funding to hire an engineering and surveying firm through a publicly and statutorily required process to perform professional services to identify and assess the drainage problem and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure; and,

6. The Owners within the Project Limit shall grant access to Township, County, and professional services personnel to perform necessary engineering and surveying work, including but not limited to enter and access property(ies) and private storm water infrastructure to identify the existing infrastructure and assess its conditions; and,

7. If awarded, it is the Parties' understanding the "Cost Share Program" grant will not be accepted or funding accessed until engineering/surveying estimates are received and reviewed for cost of services; and,

8. If after receipt and review, the Township and the Owners unanimously and collectively accept the cost for services and wish to commence with the professional services then the Owners within the Project Limit agree to and shall pay for any and all costs over the grant amount.

IN WITNESS WHEREOF, the parties have executed this MOU as of the date first written above.

Township:

TOWNSHIP OF WEST CHESTER, OHIO

By: _____
Township Trustee

By: _____
Township Trustee

By: _____
Township Trustee

West Chester Law Director

APPROVED AS TO FORM:

_____
Donald L. Crain

6/23/15
Date

OWNERS:

By: _____
Owner

By: _____
Owner

By: _____
Owner

By: _____
Owner

By: _____
Owner

By: _____
Owner

EXHIBIT A

Cobblers Creek

Estimated Storm System

1 inch = 100 feet

May 2013

N

W E

S

CINCINNATI DAYTON RD

FALLS RIDGE LN

Ginger Ruddy
M5620132000006

Don Donahoe
M5620132000007

John Feighery
M5620132000036

Mae Baker
M5610025000016

Bobby Ramey
M5610025000015

Mary Phillips
M5620132000008

48 " 48 " 54 " 36 " 24 " 36 " 36 " 36 " 36 " 36 " 15 " 15 " 12 " 30 " 15 " 24 " 15 " 30 " 12 " 4 " 30 " 12 " 4 " 30 " 12 " 24 " 18 " 24 " 4 " 4 " 21 " 12 " 21 " 4 "

This map is provided as a convenience to the Butler County residents and the suitability of this map for any other use is not guaranteed. This map should never be relied upon to establish with certainty the location of property lines or the location of any other feature in relation to a property line. To establish a property line or the relationship of a feature to a property line you must engage the services of a Professional Surveyor registered to practice in the State of Ohio. In using this map provided by the Butler County Engineer's Office, you accept the data as is, without warranty of any kind, either expressed or implied. The Butler County Engineer's Office shall not be held liable for any claim for any loss or damage as a result of reliance on the information contained on this map.

BUTLER COUNTY ENGINEER'S OFFICE

BCEO

GREGORY J. WILKENS, PE, PS, BUTLER COUNTY ENGINEER

EXHIBIT B

Storm Water Cost Share Program

Purpose

The Butler County Storm Water District's Storm Water Cost Share Program provides financial and technical assistance to reduce water quality impacts from non-point sources. This program is available to District Co-permitees, subject to the NPDES Phase II, and wants to improve water quality though structural and non-structural best management practices. **Co-permittees may also choose to apply Cost Share Funds towards District's Large Grant Program.**

Application

If you wish to proceed under the Butler County Storm Water District's Storm Water Cost Share Program, fully complete the attached Cost Share Application. Your application is a request for the District to consider your project for funding and grants permission for the District to enter subject property to perform preliminary fieldwork and review of your request.

District Review

Butler County Storm Water District reviews all applications on a *semi-annual basis (January & June)*, and recommends to the County Engineer to approve or deny each request. To be eligible to participate in the District's Storm Water Cost Share Program, Co-permitees must be current on their Annual Facility Report. Upon approval of the application, the District will meet with applicant to discuss scope details. After completing a scope, an Agreement or Memorandum of Understanding is required of the applicant. This Agreement or Memorandum of Understanding is to solidify the scope between the parties.

Required Signatures

Co-permitee as City – City Manager, with designated authority from City Council
Co-permitee as Village – Mayor, with designated authority from Village Council
Co-permitee as Township – Board President, with approval resolution attached
Single-Family Property – All owners of record
Homeowners Association Property – Board President, within common areas
Non-residential Property – All owners of record or by a designated corporate authority

Funding

Butler County Storm Water District will make funds available per its Cost Share Table annually, as the District's budget allows. **These funds will be available annually and can carry or roll over year to year for a maximum of five (5) years.** Cost Share Program does not cover or reimburse costs associated with the Co-permitee, including but not limited to: administrative, personnel, labor, benefits, employee travel, communication, office supplies, postage, memberships, legal fees and insurance.

Cost Share Table

Co-permitee	Base Fund	ERU %	Co-permitee Fund
Fairfield Twp	$10,000	10.2	$16,628
Hanover Twp	$10,000	4.3	$12,779
Lemon Twp	$10,000	1.7	$11,113
Liberty Twp	$10,000	14.7	$19,584
Madison Twp	$10,000	6.0	$13,932
Millville, Village	$10,000	0.4	$10,253
New Miami, Village	$10,000	1.4	$10,910
Ross Twp	$10,000	4.5	$12,934
Seven Mile, Village	$10,000	0.4	$10,237
St. Clair Twp	$10,000	5.0	$13,280
Trenton, City	$10,000	4.9	$13,158
Wayne Twp	$10,000	1.8	$11,142
West Chester Twp	$10,000	44.7	$39,050

Cost Share Base Total	$130,000
Cost Share Pool	$65,000
Total Cost Share Fund	$195,000

Co-permitee Fund = (Base Fund + (%ERU x Pool)

Cost Share Application

We, the undersigned Co-permitee and owners of the subject property, are within Butler County Storm Water District's NPDES Phase II affected area. We are interested in participating in the District's Storm Water Cost Share Program to reduce non-point source pollution through either structural or non-structural best management practices; and

We hereby submit our application to the Butler County Storm Water District, under provisions set forth by the District's Cost Share Policy, for assistance in making improvements in, over or through our property; and

Co-permitee is known to be compliant with annual reporting requirements of the District; and

Upon application approval by the County Engineer, we agree to enter into an Agreement or Memorandum of Understanding outlining the details of the project; and

We further acknowledge and agree that the improvement undertaken on our property shall in no way constitute an acceptance by the Butler County Storm Water District of the improvement, watercourse, drainage way, or other drainage structures on the subject property as part of the District's drainage system or for the purposes of liability, maintenance or any other area of responsibility for the subject property.

To that end, we hereby grant Butler County Storm Water District permission to enter and cross subject property for doing any type of work related to the design and construction of the improvement.

George Lang George L. Lang — 6/23/15

Co-permitee Board President, Township — Date

Property Owner — Date

(See Attached MOU)

Property Owner — Date

Judith C. Boyko Judith C Boyko — 6.24.15

Co-permitee ~~Clerk or~~ Administrator — ~~Resolution Number~~ Date

Co-permitee Information

Contact Person:	Tim Franck
Title / Position:	Community Services Director
Telephone Number:	513-759-7300
Cellular Number:	513-720-9119
Fax Number:	513-779-9369
E-mail Address:	tfranck@westchesteroh.org

Property Owner Information

Owners Name:	(See Attached List)		
Address Number:		Street Name	
Telephone Number:			
Cellular Number:			
Fax Number:			
E-mail Address:			

Property Information

See Attached Map

Parcel Identification Number (PIN):	N/A			
Property Description:	Residential	Commercial	Vacant	
Property Type:	Subdivision Lot	Acreage Tract		
Subdivision Name:				
Plat Envelope:		Page:		
Survey Plat Volume:		Page:		
FEMA Floodplain:	Yes	No	Zone:	
FIRM Community Panel:				
Current Zoning District:				
Existing Landuse:				
Proposed Landuse:				
Current Zoning Violations:	Yes	No	Pending	
If yes or pending, briefly describe violation(s) and code reference				

Improvement Information

Structural BMP ☐ Non-Structural BMP ☐

Retrofit ☐ New Construction ☐ Other ✓

Description of Improvement	Perform necesary engineering and surveying work to identify the existing infrastructure and assess its conditions		
Purpose for Improvement	Assess the storm water system and drainage problem of the Project Limit and its impact on water quality and to possibly engineer a remedy to the drainage problem and potential impact to County public infrastructure.		
Water Quality Benefit from Improvement	Potentially minimize siltation caused by ponding		
Anticipated Permitting	N/A		
Long-Term Maintenance & Operation	N/A		
Estimated Schedule	Advertise RFQ for professional services - September 2015 If within Cost Share Program funding amount, contract for services - October 2015		
Cost Estimate	Yes	No ✓	$
Co-Permitee Contribution	Yes	No ✓	$
Is Co-Permitee current with annual reporting to District?	Yes ✓	No	

Attachments

Budget Sheet (Line Item Categories: Testing, Design, Easement, Construction)
Aerial of Subject Property
Site Photographs
Reports or Studies

Property Owner	Address	Parcel #
John Feighery	7002 Pinemill Drive	M5620132000036
Ginger Ruddy	7546 Cincinnati Dayton Road	M5620132000006
Don Donahoe	7562 Cincinnati Dayton Road	M5620132000007
Mary Phillips	7576 Cincinnati Dayton Road	M5620132000008
Bobby Ramey	7594 Cincinnati Dayton Road	M5610025000015
Mae Baker	7591 Cincinnati Dayton Road	M5610025000016

Potential Cost Share Projects

Operations

Street Sweeping & Vactor
Leaf Collection / Drywell Cleaning
Restoration – Roadside Ditching
Roadside Erosion – ditch cutting/meandering
Outdoor Storage of Materials – salt, dirt, sand or grindings
Spill Containment Kits – vehicle & facility
Large Spill Response – stream booms & equipment
Employee Training – Pollution Prevention, Illicit Discharge Detection etc.
Public Best Management Practice Demonstration – pervious concrete, bioretention etc

Non-Structural

Zoning Code Up-date – to include water quality/stormwater BMP's
Open Space, Buffer & Forest Preservation
Site Design Standards
Soil Amendments
Storm Water Disconnection Program – rain barrels & rain gardens
Storm Water Training Material / DVD's / Manuals
Groundwater or Surface Water Protection
Public Education Materials / Recycling / Clean-Up Day

Other

Park & Open Space – Dog waste containers
Grants - Local Match / Design / Construction
Engineering Services – Preliminary design for Grants
Streambank Stabilization
Log Jam Removal