

RESOLUTION NO. 23-452

In the matter of adopting a Lorain County Stormwater)
Management Drainage District Improvement known as)
Firelands School Outlet Drainage to be constructed)
within the Lorain County Drainage District)

June 27, 2023

WHEREAS, pursuant to R.C. Chapter 6117, the Lorain County Board of Commissioners (“the Board”) previously established a “drainage district” known as the Lorain County Stormwater Management Drainage District (“Drainage District”) to exercise all powers and duties relating to drainage facilities improvements under R.C. Chapter 6117; and

WHEREAS, the Board caused the Lorain County Sanitary Engineer to prepare a General Plan of Drainage (“General Plan”) for the Drainage District; and

WHEREAS, in accordance with the General Plan, the Board may acquire, construct, maintain, and operate, within the Drainage District, drainage facilities improvements that the Board determines to be necessary and appropriate; and

WHEREAS, such drainage facilities improvements may be acquired, constructed, maintained, and operated for the collection, control, or abatement of waters originating or accumulating in, or flowing in, into, or through, the Drainage District; and

WHEREAS, a Memorandum of Understanding (MOU) was entered into by and between Lorain County Stormwater Management District (County), Firelands School Board (Firelands) and Lorain County Soil & Water Conservation District (District) in 2022 and outlines roles and responsibilities as follows;

- County will provide funding not to exceed \$50,000 to construct a waterway from the outlet of the newly constructed detention basin across the Firelands owned farm field consistent with plans developed by District.
- District will coordinate with Firelands and County to develop a plan to restore drainage that will contain and manage the conveyance of the discharge along its path, or identify an alternative route, so long as the water discharges off the Firelands property as originally designed at the hickenbottom on the far east side of the property
- Firelands will grant a permanent easement to the County for construction and maintenance and further agrees to maintain the waterway itself to keep it free from obstruction and when necessary, remove excess build up for sediment. Should Firelands be unable to do so, the County will have the right to perform the maintenance and establish a lien on the property

And;

WHEREAS, Lorain County Board of Commissioners Res#23-362 on May 16, 2023 accepted the recommendation of the Drainage District to construct drainage improvements and scheduled a hearing for June 27, 2023 at 4:30 p.m.; and

WHEREAS, the Drainage District previously proposed to the Board on May 16, 2023, the following drainage facilities improvement to be constructed:

- Construct a waterway from the outlet of the newly constructed detention basin across the Firelands owned farm field consistent with plans developed by the Drainage District.

And;

WHEREAS, the Board, having reviewed the proposed Firelands School Outlet Drainage and having previously determined that:

- (1) it is necessary to be constructed in accordance with the General Plan; and
- (2) declared that Firelands School Outlet Drainage is necessary for the preservation and promotion of the public health and welfare; and
- (3) that special assessments will not be levied and collected to pay for any part of the cost of the proposed Firelands School Outlet Drainage.

BE IT RESOLVED, that the Board hereby approves and adopts the drainage facilities improvement, Firelands School Outlet Drainage; and

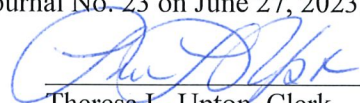
BE IT FURTHER RESOLVED, that the Board hereby amends the General Plan to reflect and include the Firelands School Outlet Drainage; and

NOW, BE IT RESOLVED, that the Board hereby authorizes the issuance or incurrence of public obligations for the improvement, and authorizes the expenditure of the funds required for its acquisition or construction and hereby proceeds with the improvement.

Motion by Riddell, seconded by Hung. Upon roll call the vote taken thereon, resulted as:
Ayes: All Riddell, Hung & Moore / Nays: None.

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 23-452 is a true copy as it appears in Journal No. 23 on June 27, 2023.



Theresa L. Upton, Clerk