

On motion of Commissioner Driehaus, seconded by Commissioner Summerow Dumas the following resolution was adopted...

RESOLUTION CREATING A TASK FORCE AND WORKING GROUP
TO ASSIST THE COUNTY ADMINISTRATION IN ESTABLISHING
AN IMPERVIOUS SURFACE FEE FOR
THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI
HAMILTON COUNTY, OHIO

WHEREAS, the Metropolitan Sewer District of Greater Cincinnati ("MSD") was created and exists as a County Sewer District under Chapter 6117 of the Ohio Revised Code; and

WHEREAS the City of Cincinnati ("City"), by Ordinance of City Council adopted April 10, 1968, consented to be included in the county sewer district now known as the Metropolitan Sewer District of Greater Cincinnati; and,

WHEREAS, the Board of County Commissioners, Hamilton County, Ohio ("County") is a party to an Agreement dated April 10, 1968, with the City of Cincinnati (the "City") pursuant to which the County exercises authority and control as the owner of MSD, and the City provides certain management and operations services on its behalf; and

WHEREAS, the County entered into two Consent Decrees (collectively "Consent Decree") on June 9, 2004 in a matter pending in the United States District Court for the Southern District of Ohio, Western Division, Case No. C-1-02-107, captioned United States of America, the State of Ohio, and Ohio River Valley Water Sanitation Commission vs. The Board of County Commissioners of Hamilton County, Ohio and the City of Cincinnati, Ohio; and

WHEREAS, the County Sewer District experiences sanitary or combined system overflows only during rain events; and

WHEREAS, the County believes that limiting the amount of storm water entering the County Sewer District will greatly improve the effectiveness of the sewer system; and

WHEREAS, not all parcels contributing rain derived inflow to the County Sewer District are appropriately contributing to the current rate structure; and

WHEREAS, the Board of County Commissioners has the responsibility for setting rates that are fair and equitable for all users of the County Sewer District; and

WHEREAS, the United States Congress and the Ohio State Legislature have both recognized the importance of storm water management in wastewater treatment; and

WHEREAS, the Board desires to develop an impervious fee structure for all parcels contributing rain derived inflow to the County system consistent with R.C. 6117.02(D); and

WHEREAS, there are currently a variety of storm water efforts overseen and funded by different agencies within the county; and

WHEREAS, the County proposes to create an agencies task force ("the Task Force") made up of staff members from different agencies across the County Sewer District who currently administer a stormwater fee, are interested in doing so, or may play a role in administering the Impervious Surface Fee, if established, as part of the work plan development process; and

WHEREAS, the County recognizes the value and importance of incorporating a range of perspectives and experiences beyond local agencies into the plan; and

WHEREAS, the County proposes to create a stakeholders working group ("the Working Group") made up of representatives from the community and its organizations to provide input and guidance from a diverse range of sources that will result in a recommended plan that respects the needs of our community at large; and

WHEREAS, the County believes that the Task Force and Working Group will be instrumental in recommending a suitable impervious surface fee plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hamilton County, Ohio, the County administration is directed to create a Task Force and Working Group for establishing such an impervious surface fee; and

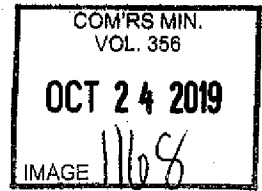
BE IT FURTHER RESOLVED, the Task Force created will include:

- The County Administration
- The Hamilton County Storm Water District
- The Hamilton County Planning and Development
- The City of Cincinnati Stormwater Management Utility
- The Metropolitan Sewer District
- The Mill Creek Valley Conservancy District
- Hamilton County Soil and Water Conservation District
- The City of Reading



BE IT FURTHER RESOLVED, the Working Group created will include:

- Members of the Task Force workgroup
- Representative from the Chamber of Commerce
- Representative from the Sierra Club
- Representative from the League of Women Voters
- Representative from the Ohio Valley Development Council
- Representative from a business with a large impervious surface



- Small Business Representative
- Representative from the Cincinnati Zoo
- Representative from Communities United for Action
- Three Hamilton County resident ratepayers
- Landscape Architect
- Building Trades Representative

BE IT FURTHER RESOLVED, participation in the Task Force and Working Group is voluntary; and

BE IT FURTHER RESOLVED, the County Administrator may add participants to the Task Force and Working Group as deemed necessary in his judgment; and

BE IT FURTHER RESOLVED, the Task Force will collaborate to develop options for consideration by the Working Group; and

BE IT FURTHER RESOLVED, the County Administrator will compile the results and recommendations of this effort into a report to be presented to the Board of County Commissioners; and

BE IT FURTHER RESOLVED, that this 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 the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly adjourned meeting of the Board of Commissioners of Hamilton County, Ohio, on this 24th day of October, 2019.

Ms. Driehaus YES

Ms. Summerow Dumas YES

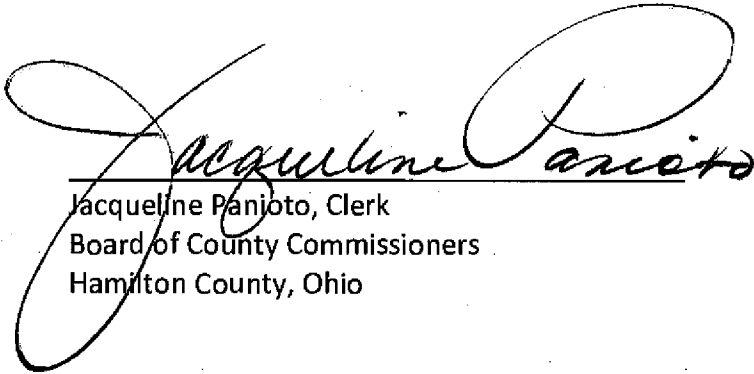
Mr. Portune ABSENT
EXCUSED



CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of Commissioners of Hamilton County, Ohio in session this twenty-fourth day of October 2019.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the office of the Board of Commissioners of Hamilton County, Ohio, on this 24th day of October, 2019.



Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio