

RESOLUTION NO. 2135

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, APRIL 5, 2016, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

A **RESOLUTION** authorizing the Interim Town Manager for and on behalf of the Town of Vinton, to enter and execute a Memorandum of Understanding (MOU) with the County of Roanoke, for the County of Roanoke to act as the Virginia Stormwater Management Program (VSMP) Authority for the Town of Vinton pursuant to § 62.1-44.15:27 B of the Code of Virginia, as amended.

WHEREAS, Roanoke County (“the County”) and the Town of Vinton (“the Town”) have continued to cooperatively work together to provide an optimum level of customer service to the development/construction community; and

WHEREAS, on February 23, 2016, the County Board of Supervisors adopted an ordinance amending Chapter 23 of the Code of Roanoke County, wherein the County is authorized to establish a Virginia Stormwater Management Program (VSMP) and a Virginia Erosion and Sediment Control Program (VESCP) within the County and within the Town; and

WHEREAS, the VESCP and the VSMP are increasingly becoming more interrelated and complex to administer; and

WHEREAS, the County is willing to serve as the Town’s VSMP Authority by adopting a Resolution on February 23, 2016, authorizing the County Administrator for and on behalf of the County to enter and execute a Memorandum of Understanding (MOU) with the Town, for the County to act as the VSMP Authority for the Town pursuant to § 62.1-44.15:27 B of the Code of Virginia, as amended; and

WHEREAS, the County currently reviews and inspects new land disturbing activities for conformance with the Stormwater Management Design Standards, Hydrologic Design, and Best Management Practices (BMPs) of the Town; and

WHEREAS, the County is also currently recognized as the local VESCP Authority within the County and the Town and regulates stormwater runoff from construction sites;

WHEREAS, on August 13, 2013, the Town and the County executed two Memorandums of Understanding (MOU) for the County to provide stormwater management plan review services, inspections for stormwater management facilities and post-construction inspection services for fees; and

WHEREAS, on August 31, 2015, Christopher S. Lawrence, the former Town Manager of the Town, submitted a letter to the County, requesting that the County become the VSMP Authority for the Town; and

WHEREAS, on March 1, 2016, the Town Council held a work session on the proposed VSMP MOU; the County's proposed amendments to the Stormwater Management and Erosion and Sediment Control (ESC) ordinances; and the Stormwater Management Design Manual.

WHEREAS, the Town Council recognizes that, in order to maintain a high quality level of customer service to its development and construction community, and to comply with federal, state, and local requirements of the stormwater management regulations, a close working relationship with the County is desirable and will be made possible through said MOU.

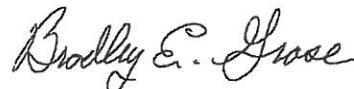
NOW, THEREFORE, BE IT RESOLVED, that Vinton Town Council authorizes the Interim Town Manager to enter into a Memorandum of Understanding (MOU) agreement, on behalf of the Town of Vinton, with the County of Roanoke upon a form approved by the Town Attorney, for the County of Roanoke to become the Virginia Stormwater Management Program (VMS) Authority for the Town of Vinton.

This Resolution adopted on motion made by Council Member Scheid and seconded by Vice Mayor Hare, with the following votes recorded:

AYES: Adams, McCarty, Scheid, Hare, Grose

NAYS: None

APPROVED:



Bradley E. Grose, Mayor

ATTEST:



Susan N. Johnson, Town Clerk



County of Roanoke

DEPARTMENT OF COMMUNITY DEVELOPMENT

DIRECTOR, ARNOLD COVEY
DEPUTY DIRECTOR OF DEVELOPMENT SERVICES, TAREK MONEIR
DEPUTY DIRECTOR OF PLANNING, PHILIP THOMPSON

BUILDING PERMITS/ INSPECTIONS
DEVELOPMENT REVIEW
ENGINEERING
ENVIRONMENTAL MANAGEMENT
PLANNING & ZONING
TRANSPORTATION

DEQ authorized Roanoke County to administer the Town of Vinton's VSMP Program effective June 1, 2016. As such, Roanoke County and the Town of Vinton have divided associated duties and responsibilities for all plans and plats located within the Town limits as follows:

Roanoke County will:

Review and approve the VSMP Registration Statement (RS), submit the RS to DEQ, and receive the VSMP fees.

Process the VSMP Notices of Termination, modifications and transfers with DEQ.

Notify operators and collect VSMP permit maintenance fees.

Review and approve Site, ESC, and SWM plans. The plans will be submitted directly to Roanoke County by the Designer/Owner and concurrently to TOV.

Collect fees for Site Plan Review, ESC Review, and SWMA Administration.

Review and approve Site, ESC, and SWM agreements. Corresponding sureties will be submitted directly to Roanoke County.

Perform Engineering plat review for projects within Town limits to ensure they match site plans under review for easements, etc. The County will send their comments to TOV in the timeframes set up by Roanoke County on the Development Review Transmittal upon receiving the plat.

Continue to enter plat information into LDO for new tax map numbers, revised acreage, and subsequent processing by the Commissioner of the Revenue.

Generate the official plan review letter.

Perform ESC inspections during construction.

ESC/SWM enforcement letters will be generated by Roanoke County and copies provided to TOV.

Review and approve SWM and storm drainage conveyance system as-built plans.

Perform inspections for surety reductions based on Engineering items and in conjunction with TOV Zoning and Public Works. Generate the official reduction letter.

Perform SWM inspections during construction and once every 5 years after closure (or per DEQ regulations).

Town of Vinton will:

Reduce site plan review fee.

Review and approve Zoning, Utility, and Street plans in the timeframes set up by Roanoke County on the Development Review Transmittal. These plans will be submitted directly to TOV by the Designer/Owner concurrently with submittal to Roanoke County.

Perform Zoning and Utility plat review. The plat review/approval letters will be generated by TOV and include County Engineering comments.

All meetings will be held at TOV.

The Public Works Department will issue road entrance permits.

The Public Works Department will inspect utilities and streets.

The Public Works Department will send the County written notification for substantial and final acceptance of utilities for surety reduction. (or some other form of notification as the dept has in use for notification).

Zoning will inspect bonded zoning items and send the County written notice when a surety reduction can be applied.

**MEMORANDUM OF UNDERSTANDING (MOU) FOR ADMINISTRATION OF THE
VIRGINIA EROSION AND SEDIMENT CONTROL PROGRAM (VESCP) AND THE
VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP) BETWEEN THE
COUNTY OF ROANOKE, VIRGINIA AND THE TOWN OF VINTON, VIRGINIA**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered this 23rd day of February 2016, by and between the County of Roanoke, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "County", and the Town of Vinton, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the "Town".

Purpose of the Memorandum

WHEREAS, clean water is crucial to the quality of life of both County and Town residents as well as the economic vitality of the region and the Commonwealth of Virginia; and,

WHEREAS, the County is currently recognized as the local "Virginia Erosion and Sediment Control Program (VESCP) Authority" within the County and the Town to regulate stormwater runoff from construction sites; and,

WHEREAS, the County currently reviews and inspects new land disturbing activities on behalf of the Town for conformance with the Stormwater Management Design Standards, Hydrologic Design, and Best Management Practices (BMPs); and

WHEREAS, the VESCP and the Virginia Stormwater Management Program (VSMP) are becoming increasingly more inter-related and complex to administer; and

WHEREAS, the Town has determined that it would be beneficial for the County to operate as the local VSMP Authority in the Town; and the County is willing to serve in this capacity.

NOW THEREFORE, the County and the Town agree that their respective responsibilities are as follows:

A. Responsibilities of the County:

1. The County shall continue to be the local "VESCP Authority" for the Town.
2. Upon approval of the revised Stormwater Management Ordinance by the Roanoke County Board of Supervisors, approval of this Memorandum of Understanding by the parties, and upon approval by the Virginia State Water Control Board, The County shall become the local "Virginia Stormwater Management Program (VSMP) Authority" in the Town.
3. Roanoke County shall possess the authority and perform the duties of the local "VESCP Authority" as set forth in Chapter 8.1 of the Code of the County of Roanoke; Title 62.1,

Chapter 3.1, Article 2.3 of the Code of Virginia; and 9VAC25-840, as amended, or as set forth in such ordinances, statutes, and regulations that are enacted to succeed the above.

B. Responsibilities of the Town:

1. The Town shall adopt a Stormwater Management Ordinance that recognizes Roanoke County as the local VESCP authority.
2. The Town shall not issue any permits for activities that require VESCP and/or VSMP permits, until the VESCP and/or VSMP permits are issued.

C. Previous Agreements

1. Previous agreements between the Town and the County concerning the VESP and the VSMP are void and superseded by this agreement.

D. Fees

1. Roanoke County shall collect fees from regulated land-disturbing activities occurring within the Town, in accordance with the fee schedule adopted by the Roanoke County Board of Supervisors.
2. The fees for regulated land-disturbing activities within the Town shall be the same as those for regulated land-disturbing activities in other parts of the County.

D. Amendments and Modifications

This Memorandum of Understanding may be amended at any time by mutual consent of the parties, in writing.

E. Termination

This agreement may be terminated by either party upon giving 90 days written notice. If this agreement is terminated, the Town understands that it would need to obtain Virginia State Water Control Board approval to become the local VESCP and VSMP authority within the Town.

F. Effective Date

This Memorandum of Understanding shall become effective upon the endorsement of the parties as well as adoption of applicable ordinances; and approval by the Virginia State Water Control Board for transfer of the local VSMP from the Town to the County; and it shall remain in effect unless terminated by one of the parties as noted above.

In Witness Whereof, the parties herein have caused this document to be executed as the date of the last signature shown below.

FOR ROANOKE COUNTY:

Approved as to Form:

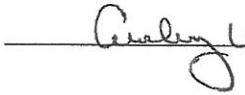

Peter S. Lubeck
Senior Assistant County Attorney

BOARD OF SUPERVISORS OF
COUNTY OF ROANOKE, VIRGINIA

By 
Thomas C. Gates
County Administrator

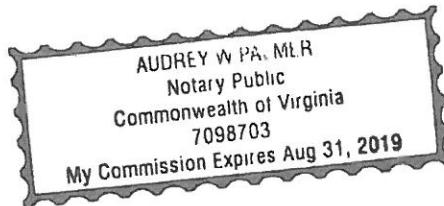
STATE OF VIRGINIA,
CITY/COUNTY OF Roanoke, to-wit:

The foregoing instrument was acknowledged before me this 1st day of March, 2016, by Thomas Gates, County Administrator on behalf of the County of Roanoke, Virginia.

 Audrey W. Palmer Notary Public

Registration Number: 7098703
My commission expires: 8-31-2019

(SEAL)



FOR TOWN OF VINTON:

Approved as to Form:

Theresa Fontana
Theresa Fontana
Town Attorney

TOWN COUNCIL OF
TOWN OF VINTON, VIRGINIA

By *Barry Thompson*
Barry Thompson
Interim Town Manager

STATE OF VIRGINIA,
CITY/COUNTY OF VINTON, to-wit:

The foregoing instrument was acknowledged before me this 8th day of
April, 2016, by Barry Thompson, Interim Town Manager on behalf of the
Town of Vinton, Virginia.

Susan N. Johnson

Notary Public

Registration Number: 206402
My commission expires: 6/30/18

(SEAL)



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, FEBRUARY 23, 2016

RESOLUTION 022316-2 AUTHORIZING THE COUNTY OF ROANOKE TO ENTER A MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF VINTON, FOR THE COUNTY OF ROANOKE TO ACT AS THE VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP) AUTHORITY FOR THE TOWN OF VINTON

WHEREAS, on this day of February 23, 2016, the Board of Supervisors of Roanoke County adopted Ordinance 022316-6, amending Chapter 23 of the Code of Roanoke County, wherein the County of Roanoke (the "County") is authorized to establish a Virginia Stormwater Management Program (VSMP) and a Virginia Erosion and Sediment Control Program (VESCP) within the County of Roanoke and within the Town of Vinton (the "Town"); and

WHEREAS, the VESCP and the VSMP are becoming increasingly more interrelated and complex to administer; and

WHEREAS, the Town of Vinton has determined that it would be beneficial for Roanoke County to operate as the local VSMP Authority in the Town; and

WHEREAS, the County is willing to serve in this capacity; and

WHEREAS, the County currently reviews and inspects new land disturbing activities for conformance with the Stormwater Management Design Standards, Hydrologic Design, and Best Management Practices (BMPs) of the Town; and

WHEREAS, Roanoke County is also currently recognized as the local VESCP Authority within the County and the Town to regulate stormwater runoff from construction sites; and

WHEREAS, on August 13, 2013, the County executed two Memorandum of Understanding agreements with the Town for the County to provide inspections for stormwater management facilities and post-construction inspection services; and

WHEREAS, on August 31, 2015, Christopher S. Lawrence, the Town Manager of the Town, submitted a letter to the County, requesting the County to become the VSMP authority for the Town; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

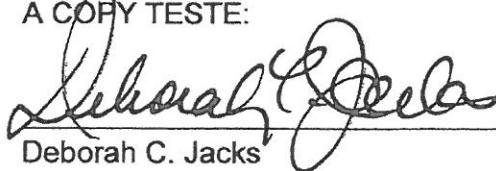
2. That the County Administrator is hereby authorized to enter a Memorandum of Understanding, on behalf of the County, with the Town of Vinton, upon a form approved by the office of the County Attorney, for the County to become the Virginia Stormwater Management Program Authority for the Town of Vinton.

On motion of Supervisor Peters to adopt the resolution, seconded by Supervisor Hooker and carried by the following recorded vote:

AYES: Supervisors Assaid, Bedrosian, Hooker, McNamara, Peters

NAYS: None

A COPY TESTE:



Deborah C. Jacks

Chief Deputy Clerk to the Board of Supervisors

cc: Thomas C. Gates, County Administrator
Ruth Ellen Kuhnel, County Attorney

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, JULY 22, 2014

RESOLUTION APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN ROANOKE COUNTY AND THE TOWN OF VINTON PROVIDING FOR STORMWATER MANAGEMENT PLAN REVIEW

WHEREAS, Roanoke County and the Town of Vinton desire to work cooperatively to provide an optimum level of customer service to the development and construction community and to streamline the review and post-construction inspection process; and

WHEREAS, Resolution 081313-5 approved the execution of a Memorandum of Understanding (MOU) between Roanoke County and the Town of Vinton providing for stormwater management plan review; and

WHEREAS, Roanoke County recognizes that, in order to maintain a high quality level of customer service to its development/construction community and to comply with federal, state, and local requirements for the stormwater management regulations, a close working relationship with the Town of Vinton is desirable and will be made possible through the re-execution of the above-mentioned Memoranda of Understanding extending this service for a two-year period ending August 12, 2016 for providing stormwater management plan review services to the Town of Vinton.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the Memorandum of Understanding for providing stormwater management plan review services to the Town of Vinton is hereby approved (Exhibit A) for a two-year period ending August 12, 2016.

2. That the County Administrator, or his designee, is hereby authorized to execute the Memoranda of Understanding and any other necessary documents to accomplish this action, all to be upon a form approved by the County Attorney.