# Agenda Request Form

| Meeting Date | Agenda Item Number |
|---|---|
| April 17, 2025 | Action Item 5 |

## Title

Stormwater Management Agreement between Cherokee County, Georgia and Cherokee County School System

## Requested Action

School Board Consideration of Superintendent's Recommendation for Approval of the Stormwater Management Agreement between Cherokee County, Georgia and Cherokee County School System

## Summary Explanation and Background

Stormwater Management Agreement between Cherokee County, Georgia and the Cherokee County School System for the design, installation, and future maintenance of all stormwater facilities on Cherokee County School System campuses.

Execution of this agreement will allow Cherokee County School System to design, build, and maintain stormwater management facilities on all campuses. These ponds will be constructed to Cherokee County standards, meet all codes/regulations, and will be inspected annually by the Cherokee County School System to ensure continued functionality. Any/all reports will be made available to Cherokee County upon request by their Stormwater Management Department.

## Financial Impact

Organizational and Operational Effectiveness

## Exhibits: (List)

Stormwater Management Agreement between Cherokee County, Georgia and Cherokee County School System

## Source of Additional Information

| | |
|---|---|
| Mary Elizabeth Davis, PhD | 770.479.1871 |
| Trey Moores | 770.479.1871 |

# STORM WATER MANAGEMENT AGREEMENT BETWEEN CHEROKEE COUNTY, GEORGIA AND CHEROKEE COUNTY SCHOOL SYSTEM

THIS AGREEMENT, made and entered into this ____ day of _____, 2025, by and between the Cherokee County School System (hereinafter referred to as "CCSS") acting by and through its Board of Education, and Cherokee County, Georgia (hereinafter referred to as "County") acting by and through its Board of Commissioners.

**W I T N E S S E T H:**

WHEREAS, the CCSS is the owner of real property throughout Cherokee County, Georgia, and the CCSS is granted the authority to establish and maintain public schools within Cherokee County, Georgia according to Ga. Const. Art. IX, §5, ¶ 1, and the CCSS is authorized to control and manage said real property and schools; and

WHEREAS, the CCSS develops, constructs, and will continue to develop and construct schools and other educational support facilities within Cherokee County, Georgia, upon property owned by CCSS; and

WHEREAS, the CCSS and the County agree that the health, safety and welfare of the students and residents of Cherokee County, Georgia require that on-site stormwater management facilities be constructed and adequately maintained on all properties in the County, including those properties owned by the CCSS; and

WHEREAS, the CCSS adheres to the County's development regulations and specifications as they relate to stormwater management facilities, and CCSS obtains approval of development plans related to stormwater infrastructure on all newly constructed school sites from the County.

NOW, THEREFORE, in consideration of the foregoing and the respective representations, covenants and agreements hereinafter set forth, the CCSS and the County hereby agree as follows:

1.

CCSS stormwater facilities shall be constructed by CCSS in accordance with County approved plans and specifications.

2.

CCSS will maintain the stormwater facilities in good working condition and in accord with long term maintenance activities as required by the County.

3.

Upon providing reasonable notice to CCSS, the County may inspect stormwater facilities on CCSS properties. Following said inspection, County may recommend maintenance and repairs to CCSS stormwater facilities consistent with Water Quality Best Management Practices, and CCSS shall implement said recommended maintenance and repairs that are consistent with Water Quality Best Management Practices.

4.

It is the intent of this agreement to insure proper maintenance of all stormwater facilities on CCSS properties. This agreement shall not create or effect any additional liability of CCSS or the County for damage alleged to result from or caused by storm water runoff.

5.

Sediment accumulation resulting from the normal operation of CCSS stormwater facilities will be maintained by CCSS in accordance with the maintenance schedule adopted by CCSS Office of Support Services.

6.

CCSS shall use and maintain operation and maintenance inspection reporting as adopted by CCSS Office of Support Services. This report shall be prepared by the engineer of record associated with stormwater facilities. CCSS will designate a qualified inspector for the purpose of a minimal annual inspection, or more frequently if required by the engineer of record. County may request copies of said reports.

7.

The parties acknowledge that this agreement shall satisfy the County's requirement for issuance of certificates of occupancy relative to all existing and future CCSS schools and educational support structures and buildings specific to the stormwater maintenance agreement requirement.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed under seal effective as of the date first above written.

**CHEROKEE COUNTY SCHOOL SYSTEM**

ATTESTED:

By: _____ By: _____

Secretary Chairman

**CHEROKEE COUNTY, GEORGIA**

ATTESTED:

By: _____ By: _____

Secretary Chairman