

M E M O R A N D U M

DATE: October 24, 2000

TO: The Board of Supervisors

FROM: Darryl E. Cook, Environmental Director
Leo P. Rogers, Deputy County Attorney

SUBJECT: The Easement and Maintenance Agreement for the Rolling Woods Detention Ponds

Attached for your consideration is a resolution authorizing the County Administrator to execute an agreement with the Rolling Woods Homeowners' Association of Williamsburg, Inc., ("Association") for shared maintenance of stormwater detention basins. A copy of the Agreement is attached.

The detention basins in Rolling Woods were built in the 1980s as required by County ordinance. At that time, the County did not require a maintenance agreement for the detention ponds. In addition, the owner of the ponds is a bankrupt company and therefore the ponds had not been maintained for several years. Recently, the remaining developer's surety and some Capital Improvements Project funds were used to perform necessary maintenance.

It is proposed that the Association assume ownership of the ponds and enter into a shared maintenance agreement with the County to ensure proper long-term performance. Under the Agreement, the Association would assume responsibility for all routine maintenance involved with the detention ponds. The County would assume, subject to appropriations by future Board of Supervisors, responsibility for non-routine maintenance. Non-routine maintenance is defined in the Agreement as:

1. Dredging and cleaning of the stormwater detention basins to maintain an appropriate depth for stormwater management purposes.
2. Conducting periodic checks of the stormwater detention basin depths, as appropriate.
3. Making all necessary structural repairs to the dam embankment and associated dams and spillways, other than mowing and seeding.
4. Replacing pipe spillways when damaged to the extent that their function is impaired.
5. Providing emergency repairs to the stormwater detention basins, dams, spillways, pipes, and embankments, to include dam embankment failures.

In order to ensure the long-term maintenance of these ponds, staff recommends that the Board approve the attached resolution.

Darryl E. Cook

Leo P. Rogers

DEC/LPR/gb
rollingwoods.mem

Attachments