

**Addendum #1**

**Intergovernmental Agreement Between  
The [Community Name] and Waukesha County  
*Town of Brookfield* for  
Storm Water Program Services**

The parties above have previously executed an agreement to implement certain provisions of their Municipal Separate Storm Sewer System (MS4) Permit, issued by the Department of Natural Resources under Chapter NR 216 Wisconsin Administrative Code. This addendum shall serve to amend said agreement in accordance with the following:

1. Replace Exhibit A with a revised version of the Waukesha County Storm Water Education Program, attached herein as Exhibit X; and
2. Extend the term of the agreement to match the term of the MS4 Permit, unless otherwise terminated by either party. Upon renewal, extension, or re-issuance of the MS4 Permit by the Wisconsin Department of Natural Resources, this agreement will automatically be extended and renewed for the period of the permit, unless otherwise agreed to by the parties or terminated in accordance with the agreement.

All other terms and conditions of the existing agreement shall remain in effect. This addendum shall become effective upon execution by both parties and shall be binding upon the parties and their respective successors and assigns.

Signed by the ~~[Community Name]~~ *Town of Brookfield*

  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

*Keith Henderson, Chairman*  
\_\_\_\_\_  
(Printed name & title)

Signed by Waukesha County:

  
\_\_\_\_\_  
(Signature)

*12/3/09*  
\_\_\_\_\_  
(Date)

Perry M. Lindquist, Land Resources Manager

## Exhibit X

### **Waukesha County Storm Water Education Program For NR 216 Phase 2 Communities 2008-2012**

This exhibit describes a public information and education program that complies with the Municipal Permit conditions noted in section (a) of this Agreement. The program is organized by target audience. For each target audience, programs goals, activities and the general roles of the County and the local Community are described.

Details of each activity are not provided in this document. These will be further developed through an annual work planning process with an Education Advisory Committee. The Committee will be chaired and coordinated by the County, with representation from participating communities. Each fall, through the annual work planning process, more specifics will be added for project goals, timelines, event locations, community role, staff assignments and coordination between the County, DNR, UWEX and participating communities. The Committee will meet at least 2 times per year to review the status of activities, evaluate their success and make work plan revisions, as needed. Subcommittees may be formed to plan or carry out certain activities, as needed. Some activities will be phased into the program, as noted below.

To comply with the Municipal Permit, all communities are required to carry out minimum assigned tasks, as described below. However, staff in the larger communities (category 2-4 in Exhibit Y) are expected to participate more in program planning and implementation, which will be further described in the annual work plan. To encourage public participation in the development and implementation of the work plan, the County will post the plan on their web page for comment and contact local environmental, civic and other interested groups or individuals and encourage their involvement. Each community must provide the County with contact information for applicable local groups or interested individuals.

#### **Target Audience: Contractors, Builders, Developers, Consultants & Municipal Staff**

**Goal:** *Increase understanding of and compliance with local ordinance requirements for construction site erosion control and post-construction storm water management. Provide technical training for plan development and Best Management Practice (BMP) design, installation and maintenance. Promote environmentally sensitive land development methods.*

1. Workshops – The County will conduct at least one workshop each year. Specific workshop location, timing, topics, speakers, etc. will be determined during the annual work planning process, or in response to industry requests. The County will lead program development, implementation, advertising and post-workshop evaluation efforts, as needed.
  - *Community role: Assist the County in program planning, promotion and implementation, including providing e-mail lists for local target audiences, distributing advertising materials locally, and finding presenters and local examples of target BMPs. Communities may also be asked to serve on a planning committee.*

2. BMP Demonstrations/Tours – The County will offer periodic demonstrations and tours of local sites to showcase storm water BMPs and discuss lessons learned during their design, implementation and maintenance. This activity may be conducted as a bus tour, indoor workshop and/or self-guided or on-line tour. It is anticipated that this activity will be phased in the last two years of this program as more BMP demonstration sites become available.
  - *Community role: Find sites within their community that could be used for BMP tours and demonstrations. Help the County obtain the necessary BMP design and installation data, photographs, etc. Assist with implementation duties per the work plan.*
  
3. Newsletters – The County will write periodic newsletter articles for the Metropolitan Builders Association (or similar groups), focusing on local nonpoint pollution control problems, solutions, on-going program efforts and success stories that affect their industry. Also use these articles to advertise local workshops, tours and demonstrations.
  - *Community role: Provide the County with ideas for related articles on local activities, events or success stories.*

### **Target Audience: General Public**

**Goal:** *Increase public understanding of the processes and negative impacts that urban storm water runoff and illicit discharges have on the local water resources and what each person can do to address the problem. Promote changes in behavior and the adoption of practices such as native landscaping, rain barrels, rain gardens, green roofs, environmentally sensitive lawn, pet and car care, riparian land management, yard waste composting, water quality monitoring, hazardous waste management and other related practices.*

1. Storm Drain Stenciling – The County will provide stencils, paint and educational door hangers, and coordinate their distribution and use by youth groups and adult organizations to paint the message “Dump No Waste – Drains to River/Lake” on local storm drain inlets. This activity educates the people doing the stenciling and residents living in the neighborhoods being stenciled.
  - *Community role: Promote the activity locally, provide the County with contacts for local youth and civic groups, and facilitate local approvals as needed.*
  
2. News Releases/Newsletters/Recognition – The County will prepare seasonal news releases and articles for local newspapers and Community newsletters announcing water quality related activities, programs and services, and recognizing local citizens and businesses who adopt “water friendly” practices.
  - *Community role: Provide the County with contacts for local media, people or businesses that deserve recognition, and other ideas for news releases and articles. Assist with writing local articles or local versions of County articles. Disseminate articles locally through Community newsletters, civic groups, etc.*
  
3. Presentations – The County will provide a speaker, accompanied by a Power Point presentation or video for local civic groups and other organizations with the above noted messages.
  - *Community role: Promote the service locally and forward presentation requests to the County. Identify local opportunities, coordinate with local events, and assist with implementation duties per the work plan.*

4. Displays/Handouts – The County will provide fully developed displays and handout materials for local special events or building lobbies and entryways. The County will also coordinate the transportation of the display and train local staff in setup. Displays will promote the practices noted above, but be tailored to address seasonally specific issues, such as lawn care, fall leaf collection, etc.
  - *Community role: Schedule local display opportunities with the County. Coordinate local setup, maintenance and take down with the County.*
5. Web Page – The County will create and maintain web pages that provide information on the above noted practices, promotes their use, and direct citizens to related local services, events and demonstration sites. Related fact sheets and informational flyers will also be made available for download.
  - *Community role: Direct local citizens to the County web pages and incorporate links into Community web pages to promote related County service and events.*
6. Workshops – The County will conduct periodic workshops to promote runoff and waste reduction from individual homes and businesses, using practices such as rain gardens, natural landscaping, yard waste composting, etc.
  - *Community role: Promote and host workshops locally. Provide contact information to the County for interested citizens and targeted businesses. Assist with implementation duties per the work plan.*
7. Tours/Demonstrations – The County will conduct periodic on-site tours and demonstrations to promote homeowner practices such as rain gardens, natural landscaping and yard waste composting, possibly in combination with the above noted workshops. This activity will be phased in as sites become available.
  - *Community role: Promote the tours and demonstrations locally and provide contact information to the County for interested citizens and targeted businesses. Assist with implementation duties per the work plan.*
8. Rain Garden Grants/Technical Assistance – The County will pursue grants to offset the costs to local landowners for installing rain gardens. The County will advertise and administer available grant funds and provide technical assistance to landowners in accordance with adopted policies, (*per separate agreements between the County and the grant recipient*). Successful rain garden sites may be used for future news articles, tours and demonstrations.
  - *Community role: Promote the grant program locally and direct interested landowners to the County. Assist with implementation duties per the work plan.*
9. Hazardous Waste/Used Oil Collection – To prevent improper disposal and water pollution, the County will continue to promote and support three permanent household and agricultural hazardous waste collection sites in Waukesha, Muskego and Menomonee Falls, and periodically host temporary collection sites in other Communities, as funding allows (*per separate agreements between the County and the Community*). Used motor oil will also continue to be collected at Community recycling drop off sites.
  - *Community role: Promote the collection sites locally and direct citizens to the County web site for more information.*
10. Yard Waste Composting – To reduce water pollution from improperly disposed leaves and grass clippings, the County will promote home composting of yard wastes and continue to offer a County-owned drop-off site for Community yard waste collection programs at no cost to the Community for processing (*per separate agreements*

*between the County and the Community).* At the drop-off site, yard wastes are composted and used for mine reclamation purposes.

- *Community role: Collect yard waste from citizens and transport to the County composting facility in the Town of Genesee.*

11. Citizen Stream Monitoring – The County will offer interested citizens the opportunity to monitor a local stream site once a month from April to September. The County will train and equip participants to collect temperature, turbidity, biotic index, flow and dissolved oxygen data. This activity educates participants while collecting useful water quality data for monitoring program progress.

- *Community role: Promote service locally and direct interested citizens to the County.*

### **Target Audience: School Teachers & Students**

***Goal:*** *Have teachers learn the processes and negative impacts that urban storm water runoff and illicit discharges have on the local water resources, and what they and their students can do to address the problem. Incorporate into related indoor and outdoor classroom activities and implement runoff pollution control practices on school property.*

1. Teacher Training – The County will provide Project WET (Water Education for Teachers) training and curriculum guides for teachers. Project WET is supplemental water education that can be used in science, math, art, physical education and other areas. All activities are hands-on and water related.

- *Community role: Promote training locally and direct interested teachers to the County.*

2. Presentations – The County will provide a speaker and Power Point presentation for classrooms to discuss local water quality issues, including actions that students and their families can take to reduce nonpoint pollution.

- *Community role: Promote presentations locally and direct interested teachers to the County. Assist with implementation duties per the work plan.*

3. Green Schools – The County will help participating schools work through the DNR's "Green & Healthy Schools" program. Assist school teams with completing the "water" and "school grounds" inventories, making recommendations for controlling runoff and reducing water usage. The County may also provide some grant dollars to help implement the recommendations and move toward state certification. *(Note: Separate agreement required between the school and the County.)*

- *Community role: Promote program locally and direct interested schools to the County. Assist with implementation duties per the work plan.*

4. Stream Monitoring – Offer local teachers the opportunity to expose students to a one-time field trip for stream monitoring. Students would collect temperature, turbidity, biotic index, flow and dissolved oxygen. This type of monitoring is primarily designed to educate students on water quality issues and the techniques used to measure the impacts of land use on water quality.

- *Community role: Promote program locally and direct interested teachers to the County.*

**2009 Fees for MS4 Communities Participating in the  
Waukesha County Storm Water Information & Education Program**

Category	Community Population	2009 Fee
1	0 – 5,000	\$1,102
2	5,000 – 20,000	\$2,205
3	20,000 – 50,000	\$3,307
4	>50,000	\$4,410

Participating Community Name	NR 216 Phase 1 or 2	Population (2006)	Fee Category	2009 Fee
<b>Cities</b>				
1. Delafield	2	6,895	2	\$2,205
2. Muskego	2	22,630	3	\$3,307
3. Oconomowoc	2	13,870	2	\$2,205
4. Pewaukee	1	12,625	2	\$2,205
5. Waukesha	1	67,750	4	\$4,410
<b>Towns</b>				
6. Brookfield	1	6,419	2	\$2,205
7. Delafield	1	8,336	2	\$2,205
8. Genesee	2	7,535	2	\$2,205
9. Lisbon	1	9,814	2	\$2,205
10. Merton	2	8,375	2	\$2,205
11. Oconomowoc	2	8,099	2	\$2,205
12. Summit	2	5,158	2	\$2,205
13. Vernon	2	7,441	2	\$2,205
14. Waukesha	1	8,885	2	\$2,205
<b>Villages</b>				
15. Big Bend	2	1,277	1	\$1,102
16. Dousman	2	1,802	1	\$1,102
17. Hartland	2	8,449	2	\$2,205
18. Lannon	2	972	1	\$1,102
19. Merton	2	2,546	1	\$1,102
20. Mukwonago	2	6,594	2	\$2,205
21. Nashotah	2	1,366	1	\$1,102
22. North Prairie	2	1,896	1	\$1,102
23. Pewaukee	1	8,964	2	\$2,205
24. Sussex	1	9,908	2	\$2,205
25. Wales	2	2,599	1	\$1,102

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE TOWN OF BROOKFIELD AND WAUKESHA COUNTY**

**Whereas**, the Town of Brookfield ("Town") and the Waukesha County Department of Parks and Land Use - Land Resources Division ("County") both recognize the negative impacts that uncontrolled soil erosion and storm water runoff from urbanizing lands can have on local water resources and downstream properties, and are both subject to municipal storm water discharge permits by the State under Chapter NR 216 Wis. Admin. Code; and

**Whereas**, as a condition of a municipal storm water discharge permit under NR 216, communities are required to conduct an information and education program on controlling nonpoint source water pollution;

**Whereas**, sharing resources and coordinating educational activities between the Town and the County can be a cost-effective way to satisfy State storm water discharge permit requirements for both units of government;

**Now, therefore**, in consideration of these premises, the Town and the County under the authority of subsection 66.0301 Wis. Stats. hereby agree to cooperate on the implementation of an information and educational program in accordance with the following:

- (a) **SERVICES.** Starting in 2006, the County agrees to provide the Town the information and educational services described in Exhibit "A" in exchange for the fee described in sec. (b) below. The County will establish an education advisory committee made up of all the municipalities that are participating in the program and any other entities that the County deems appropriate. Each year the advisory committee will coordinate the specifics of program activities and propose the committee's budget to the County. Unless otherwise noted in Exhibit "A", the County will take the lead on implementing the activities and the Town will provide the necessary staff support as needed for local efforts.
- (b) **FEES.** By March 1, 2006, the Town agrees to pay the County \$2,000 annually for implementing the information and education services described in sec. (a) above. After 2006, this fee shall be subject to an annual increase not to exceed 5% or the actual County cost increases for salary and benefits involved in providing these services, whichever is less. The Town shall approve and be responsible for any bulk mailing costs within the Town related to implementing this program.
- (c) **CONTACTS.** For the administration of this agreement, the primary contact for the Town shall be the Town Administrator or designee. The primary contact for the County shall be the Land Resources Manager or designee.

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE TOWN OF BROOKFIELD AND WAUKESHA COUNTY**

**(d) MISCELLANEOUS PROVISIONS**

1. **Effective Date.** Upon execution by the County and the Town, this Agreement shall take effect on January 1, 2006 and shall remain in effect through October 31, 2009 (the term of WPDES Permit No. WI-S050105-1) or until otherwise terminated by either party under sub. 3. below.
2. **Review and Amendments.** The terms of this Agreement shall be reviewed annually and may be modified if approved in writing by both parties and duly executed by the authorized representative. Documentation of the 2007-2009 annual fee for information and education services under sec. (b) above shall become an addendum to this agreement each year.
3. **Termination.** The County or the Town may terminate this Agreement at any time upon a 60-day written notice of intent. The Town is responsible for notifying the DNR of any termination of this agreement and for subsequent compliance with DNR permit requirements.
4. **Effect of Agreement.** This Agreement contains the entire agreement of the parties. The County and the Town recognize that this Agreement is the product of a unique set of circumstances. Accordingly, it is mutually acknowledged that many of the provisions contained herein are unique unto themselves and should not be seen as precedent for any future agreement between the County and other entities.
5. **Severability.** If any clause, provision or section of this Agreement be declared invalid by any Court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions of this Agreement.
6. **Binding Agreement.** This Agreement is binding upon the parties hereto and their respective successors and assigns.

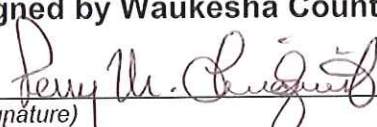
**Signed by the Town:**

  
\_\_\_\_\_  
(Signature)

6/12/06  
\_\_\_\_\_  
(Date)

Keith Henderson, Chairman  
\_\_\_\_\_  
(Printed name & title)

**Signed by Waukesha County:**

  
\_\_\_\_\_  
(Signature)

6/29/06  
\_\_\_\_\_  
(Date)

Perry M. Lindquist, Land Resources Manager  
\_\_\_\_\_  
(Printed name & title)



**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE TOWN OF BROOKFIELD AND WAUKESHA COUNTY**

**Exhibit "A"**

**Nonpoint Information & Education Program Proposal  
*Waukesha County Portion*  
2006-2009**

The following activities will be conducted by the Waukesha County Department of Parks and Land Use – Land Resources Division through an intergovernmental agreement with the participating municipalities from the Upper Fox Watershed Community Group. Unless otherwise noted below, the County will take the lead on these activities and the municipality will provide support services, as needed. Details of each activity are not provided in this document. These will be further developed in the fall of 2005 and updated each of the four years through an education advisory committee made up of each of the participating communities. The proposed activities are grouped by three general target audiences, as listed below.

**Contractors, Builders, Developers & Consultants:**

1. Workshops – Conduct periodic workshops to explain erosion control and storm water management program requirements and permitting procedures. Also use the workshops to promote conservation subdivisions, green roofs, rain gardens and other effective BMPs. It is anticipated that at least one workshop be conducted annually in the county.
2. Demonstrations – Offer periodic demonstrations and tours to local sites to show how conservation subdivisions and BMPs such as those noted above can be used to reduce runoff pollution and meet local storm water regulations. This may be combined with the annual workshops or run as a separate event, depending on interest and availability of sites.
3. Newsletters – Offer newsletter articles for MBA and other local newsletters targeted to this audience, focusing on local nonpoint pollution control problems, solutions, on-going program efforts and success stories. Also use these to advertise local workshops, tours and demonstrations.

**General Public:**

1. Storm Drain Stenciling – Provide stencils, paint and educational door hangers to schools, student groups or adult organizations to paint the message "Dump No Waste – Drains to River/Lake" on local storm drains. This on-going activity educates the people doing the stenciling and residents living in the neighborhoods being stenciled.
2. News Releases/Newsletters - Offer periodic news releases and articles to local newspapers and articles for municipal newsletters announcing water quality related activities, programs and services.

**INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE TOWN OF BROOKFIELD AND WAUKESHA COUNTY**

3. Presentations – Offer a speaker with or without Power Point presentation and equipment to local civic groups and other organizations to speak about local water quality issues and actions local citizens can take.
4. Displays – Assist each community with preparing displays with handout materials for special events or building lobbies and entryways. Displays will focus on water quality, but be tailored to address seasonally specific issues, such as snow management, lawn fertilizer, fall leaf collection, etc.
5. Rain Garden/Rain Barrel promotion – Promote runoff reduction from individual homes and businesses through a local rain garden workshop or demonstration, in cooperation with DNR and the UWEX.
6. Recognition Program – Recognize (in local news releases/newsletters, etc.) local citizens that adopt “water friendly” practices around their home or business or otherwise promote nonpoint pollution control. This activity will depend on having good examples to recognize.
7. Resource Lists/Web Page – Create resource lists for rain gardens, rain barrels, housekeeping, porous pavement, leaf mulching, composting, etc. Offer them as handouts and on the county web page.
8. Citizen Stream Monitoring – Offer interested citizens the opportunity to monitor a stream site once a month from April to September. Train and equip them to collect temperature, turbidity, biotic index, flow and dissolved oxygen. This activity educates participants while collecting useful water quality data for monitoring program progress.
9. Yard Waste – Promote yard waste composting and on-site mulching of leaves through flyers, web page, videos, etc. Continue offering free yard waste disposal and composting at the county-owned site in Genesee for all communities. Final compost product will be used as a topsoil substitute to reclaim a county-owned gravel pit on the site.

**Teachers & Students:**

1. Project WET (Water Education for Teachers) - Offer training and curriculum guides for teachers on the use of project WET in the classroom. Project WET is not an entire curriculum, but is supplemental water education that can be used in science, math, art, physical education and other areas. All activities are hands-on and water related.
2. Presentations – Offer a speaker with or without Power Point presentation and equipment to local classrooms to discuss local water quality issues, including actions that students and their families can take to reduce nonpoint pollution.
3. Green Schools - Help participating schools work through the DNR’s “Green & Healthy Schools” program. Assist school teams with completing the “water” and “school grounds” inventories, making recommendations for controlling runoff and reducing water usage. The County may also provides some grant dollars to help implement the recommendations and move toward state certification.
4. Stream Monitoring – Offer local teachers the opportunity to expose students to a one-time field trip for stream monitoring. Students would collect temperature, turbidity, biotic index, flow and dissolved oxygen. This type of monitoring is primarily designed to educate students on water quality issues and the techniques used to measure the impacts of land use on water quality.