

**COOPERATIVE AGREEMENT BETWEEN MADISON COUNTY AND CITY OF CANTON
CONCERNING SPONSORSHIP, FUNDING, MANAGEMENT, OPERATION AND CONSTRUCTION OF
EWPP PROJECTS, BOTH APPROVED AND DISAPPROVED, BY U.S. DEPARTMENT OF
AGRICULTURE’S NATURAL RESOURCES AND CONSERVATION SERVICE, LYING WITHIN CITY OF
CANTON’S MUNICIPAL WATERSHED AREA KNOWN AS “BATCHELOR CREEK”**

WHEREAS, the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture, has examined and surveyed a watershed area within the City of Canton, Mississippi, known as “Batchelor Creek”; and

WHEREAS, pursuant to inspection and survey, said NRCS has determined that certain areas along the traverse of Batchelor Creek qualifies for emergency repair and remediation under the EWPP program (Emergency Watershed Protection and Prevention) program, to prevent imminent flooding that constitutes an “urgent risk to life, property, utilities, streets, roads and bridges”, and, pursuant to said EWPP program has approved federal funding for said project under the Local Sponsorship of Madison County, Mississippi; and

WHEREAS, the EWPP project has a cost-share participation feature, requiring NRCS to contribute 75% of the funds necessary to complete the EWPP project, and the Local Sponsor, Madison County, Mississippi, required to contribute 25% of funds required to satisfy the EWPP project; and

WHEREAS, in cooperation with Local Sponsor, Madison County, the City of Canton, Mississippi, has agreed to contribute 50% of the funding necessary to satisfy the Local Sponsor’s 25% cost-share requirement under said EWPP project; and

WHEREAS, the City of Canton has also agreed that Madison County, through its governing authority, the Madison County Board of Supervisors, would serve as Local Sponsor, giving it the exclusive authority to apply to, communicate with, and in all necessary measures, work with the NRCS to fulfill all eligibility criteria required pursuant to the EWPP program; and

WHEREAS, the City of Canton and Madison County mutually agree that Local Sponsor, Madison County Board of Supervisors, will oversee, operate, manage, operate and conduct the EWPP project, and will be solely responsible for receiving all federal funds, and invoicing NRCS for all aspects of the project that are determined as eligible for the federal reimbursement; and

WHEREAS, the City of Canton agrees to reimburse Madison County for its 50% share of the 25% funding obligation of the Local Sponsor, within 30 days of receipt of an invoice from Madison County, pursuant to a budget and site-specific Batchelor Creek work project affixed hereto as Exhibit “A”; and

WHEREAS, pursuant to federal inspection and review of impacted areas along Batchelor's Creek, certain areas were not approved for funding by federal NRCS, being deemed as not constituting an "urgent risk to life, property, streets, utilities, roads and bridges". Nonetheless, Madison County and the City of Canton wish to proceed in cooperation to repair and remediate the areas that were denied by NRCS due to local safety concerns and a mutual desire between the parties to reduce and mitigate flooding along Batchelor's Creek, and to offer greater protection to the local community; and

WHEREAS, both parties agree to finance the cost of repairing and remediating the areas that were rejected as eligible under the NRCS EWPP program, by cooperating to share of cost of same on a 50/50% basis, pursuant to the budget and site-specific work project affixed hereto as Exhibit "A".

THEREFORE, it is AGREED that Madison County, through its governing authority, Madison County Board of Supervisors, and the City of Canton, through its duly elected Mayor and Board of Aldermen, agree to enter into this Cooperative Agreement to repair, remediate and to work in all respects with the Natural Resources and Conservation Service, an agency of the United States Department of Agriculture, to reduce flooding along the traverse of Batchelor's Creek, in the City of Canton, and as such, both parties agree that Madison County will serve as Local Sponsor in the EWPP project, and to do all things necessary in order to comply with the federal EWPP program, including receiving federal funds pursuant thereto.

FURTHER, it is AGREED that the City of Canton will cooperate with Madison County to contribute and to finance 50% of the 25% local cost-share obligation under the EWPP program, as identified in Exhibit "A" and will further cooperate with Madison County to contribute and to finance 50% of the 100% of the costs for the repair and remediation of those areas along Batchelor's Creek that were denied by federal NRCS, for funding, after its due inspection and review.

WITNESS OUR SIGNATURES, as authorized, to this COOPERATIVE AGREEMENT, which will become effective after approval of the Madison County Board of Supervisors, and the Mayor and Aldermen of the City of Canton, and after approval and presentment upon the official minutes of both bodies.

FOR MADISON COUNTY

By: _____
Gerald Steen, President
Madison County Board of Supervisors

FOR CITY OF CANTON

By: _____
William Truly, Mayor
City of Canton

ATTESTATION:

By: _____

Ronny Lott
Chancery Clerk

(SEAL)

ATTESTATION

By: _____

City Clerk

(SEAL)

EXHIBIT "A"

COST-SHARE BREAKDOWN OF AREAS ALONG THE TRAVERSE OF BATCHELOR CREEK WHICH WERE BOTH ACCEPTED AND DENIED FOR FUNDING BY NATURAL RESOURCES CONSERVATION SERVICES (USDA) EWPP PROGRAM

AREAS THAT WERE ACCEPTED BY EWPP:

1. Semmes Street	\$137,000.00
2. Cisne Avenue	34,720.00
3. Jackson Street	45,520.00
Total	\$217,740.00
Federal 75% cost-share	163,305.00
Local 25% cost-share	54,435.00
Madison County 50% share (of 25%)	27,217.50
City of Canton 50% cost share (of 25%)	27,217.50

AREAS THAT WERE REJECTED BY EWPP:

4. King Ranch Road	153,230.00
5. MLK North	76,280.00
Total	\$229,510.00
Madison County 50% cost-share	\$114,755.00
City of Canton 50% cost-share	\$114,755.00

