

**DEERFIELD REGIONAL STORM WATER DISTRICT
REGULAR DISTRICT BOARD MEETING
Landen Station, 3292 Montgomery Road
Loveland, OH 45140**

March 13, 2007

CALL TO ORDER:

President Walter Daniels called the meeting to order at 6:37 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ATTENDANCE:

Those present at the meeting were:

Board Members:	Walt Daniels, Tim Greive, and Susan Berger
Attorney:	Eric Luckage, Esq., Albers & Albers
Engineering:	Jamie Coleman, Ph.D., and Chris Calpin, Manager, CDM Inc.
DRSWD Admin. Asst.:	Cathy Herrick
Public:	Diana Halligan

APPROVAL OF MINUTES:

The Regular Board meeting minutes dated February 22, 2007, were presented and reviewed.

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Grieve to accept and approve the meeting minutes of February 22, 2007, as written. Vote: All Yes.

REPORTS OF BOARD, AND COMMITTEES:

Treasurer's Report: Susan Berger, Secretary/Treasurer, presented a report of 2007 Expenses vs. Budget. She indicated that the bank statement for January had not been received when this report was generated so accrued interest to date had not been included but would be added as she was now in receipt of the statement. Ms. Berger then referred to the line item Administrative/Other stating the amount shown included a charge from Warren County Water and Sewer for their services rendered in billing the storm water fees. She also noted there was a charge to the Insurance category for the surety bond for herself as the Secretary-Treasurer of the Board in the sum of \$200.00.

Ms. Berger also reported that she had received an email from the state auditor indicating that he had completed his audit of DRSWD and the next step was for him to complete his report and then contact the District to coordinate a date and time to meet and review the audit report.

Susan Berger then presented the bills for March as follows:

Payment of the Bills:

- WCSW, Inv. 07028, in the sum of \$1,985.50;
- Albers & Albers, Inv. #10325, in the sum of \$4,181.00;
- WCSW, Inv. #07-035, in the sum of \$238.00;
- Minuteman Press, Inv.#10835, in the sum of \$27.81
- Adventure Products, for name plates in the sum of \$80.00;
- Cathy Herrick, reimbursement for postage in the sum of \$22.98;
- Cathy Herrick, reimbursement for office supplies in the sum of \$33.00
- Cathy Herrick, wages & mileage in the sum of \$640.00.

➤ **Action Taken/Required:** Susan Berger made a Motion seconded by Tim Greive to accept and pay the invoices as listed above. Vote: All Yes.

SPECIAL ORDERS:

None.

COMMENTS FROM GENERAL PUBLIC: Community member, Diana Halligan, Brookside Court, addressed the Board at this time. Ms. Halligan asked about the reasons for a watershed model, pointing out that one already existed for Simpson Creek. Ms. Berger explained that she had attended meetings about the Polk Run watershed in the past and felt then that a model of that watershed, as well as the others in the Township, would be helpful. To adequately address the problems in the watershed, the Board needed an understanding of the area as a whole. Walt Daniels informed Ms. Halligan, during the past year there have been more private property owner's inquiring about help for various problem areas throughout the Township, not just the Simpson Creek vicinity, and it was decided that a watershed model of the entire Township would be a very useful tool in correcting many of these conditions. Susan Berger added, if we fix things within the whole watershed of Deerfield Township, we will solve lots of issues not just one. Ms. Halligan again commented on Simpson's Creek and pointed out that a model had been done previously by Henderson & Bodwell but it did not become property of the Township. Ms. Berger and Mr. Daniels informed Ms. Halligan that the model being created by CDM would be more comprehensive than the previous one, indicating tributaries and outfalls and would become the sole property of the District. Ms. Berger added she was aware the Township was preparing to redo their Comprehensive Plan and this water shed model will serve as a very useful tool in doing so.

Ms. Halligan also informed the Board she had learned the Warren County Water and Sewer Department had a plan containing mapping of projected sanitary sewers up until the year 2020 of which the Board might find useful.

Deerfield Township Watershed Model Presentation The presentation by Chris Calpin, Manager of CDM was made to the Board and at this time and out of order of the agenda in an effort to share the information with public members in a timely manner.

Mr. Calpin began his presentation with the assistance of power point visual slides and by saying the purpose for creating a storm water system evaluation and management plan (the Plan) would be to protect Deerfield Township from storm sewer flooding, existing and future stream flooding, to prevent stream bed erosion and water quality degradation.

Mr. Calpin continued stating the Plan would be supported by a credible storm water model of the Township to assist in developing solutions which are accurate and acceptable to the public. Further, he suggested such a Plan should include: physical representation of the storm water system, witness testimonials to flood elevations and associated rainfall and a storm water system model which accurately represents flooding and erosion issues of past, present and future situations. He added, the Plan should also include consensus built around a cost effective level of service for improvements in both water quantity and quality, as well as, prepare detention rules and other policies which minimize new flooding and erosion by runoff from development and re-development projects.

It was proposed there be three phases initiated in implementation of the Plan:

Phase I - Develop a model of the primary drainage system and watershed-specific detention rules which prevent increases in existing surface elevations;

Phase II - Extend the model into portions of the secondary drainage system and quantify known and model-projected storm water problems;

Phase III - Develop conceptual designs for capital improvements to resolve existing and prevent future drainage problems.

Mr. Calpin then displayed a visual of the anticipate model coverage area indicating the model watershed, primary drainage system, streams and boundaries of Deerfield Township. In conclusion of the presentation, an estimated budget for the Plan was introduced indicating the various watersheds, broken down by each phase as noted above and estimated costs associated with completing each project.

Walt Daniels inquired as to how the estimated costs were arrived at and as to how they would be met. Mr. Calpin advised, the estimated costs were based on the size of the watershed and would be done in phases as cash flow allowed. Mr. Daniels also inquired as to the timing in creating this watershed model to which Mr. Calpin informed him twelve (12) months was a reasonable timeframe but as long as eighteen (18) months was

possible. Walt Daniels reiterated that this watershed model would be exclusively the property of the District, as well as, the watershed maps and delineation maps which could be utilized to link up with the model and determine release rates in any undeveloped areas within Deerfield Township. The Board thanked Mr. Calpin for informative presentation.

UNFINISHED BUSINESS AND GENERAL ORDERS:

Permanent Public Depository Ms. Berger said the public notice for a permanent public depository appeared in the Cox Publication newspapers on March 8, 2007 and was scheduled to appear again on March 15, 2007. She said she had also forwarded a copy directly to the Fifth Third Bank. Mr. Daniels asked about her giving her recommendation to the Board at the next regular board meeting in April. She indicated that the ad allows for bids to be received up to April 2, 2007. She would then review any and all bids and make a recommendation to the Board on April 10, 2007, so that this action could take effect beginning April 16, 2007. Eric Luckage suggested a resolution be created at this time, resulting in the following Motion:

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Susan Berger adopt a resolution stating as follows: The Board of Trustees of the Deerfield Regional Storm Water District will meet on the 10th day of April, 2007 at 6:30 p.m. at the District's office located at 3292 Montgomery Road, Loveland, Ohio 45140, at which time the applications for active, inactive, and interim deposits of said District will be examined and the designation of a depository shall be made for a period of five (5) years commencing on the 16th day of April, 2007. The estimates the aggregate maximum amount of District funds to be awarded and on deposit as active, inactive and interim deposits to be no more than \$4,000,000.00. The DRSWD will accept written applications until 4:00 p.m. on the 2nd day of April, 2007. Vote: All Yes.

CDM Update Dr. Coleman reported he had been in contact with Warren County Water and Sewer regarding some storm water billing accounts and said they continued a good working relationship with Warren County. Susan Berger raised a question as to the difference in the amounts of the invoices being received from Warren County for their billing services. A discussion ensued regarding same and it was agreed that due to the newness of this action, many accounts were still being located, others were being corrected and basically, the system was still being perfected. It was suggested that the Board let the system work and revisit this area at a later time if consistency was not recognized.

Dr. Coleman advised that he had received an email from Marsha Rolph, of Warren County Soil and Water Conservation District inviting the Board to the Annual Sediment and Erosion Control Field Day to be held in June at the Warren County Career Center. It was mentioned that last year Jeff Thomas, a former Board member, attended along with Dr. Coleman and it was a very informative worth while event and sponsorship by the District also assists in meeting mandates of the OPEA.

Greenfield Place Sub-Division sinkhole(s) The Board began their discussion about this topic referring to being addressed by homeowners with concerns in this sub-division at the regular Board meetings held in January and February of 2007. The residents approached the Board with issues regarding two large pipe that had collapsed causing flooding throughout the neighborhood and large swirling sinkholes which had resulted causing a potentially dangerous hazard to human life.

The Board reported the situation has since escalated to the point where “life and limb” or “lose of life” were at risk and action needed to be taken immediately. As this situation had made the attention of the local media, the Deerfield Township Trustees were also aware of the serious nature of this problem and the Board was planning a meeting with them in the upcoming week to discuss resolution of the damaged pipe and specifically remedying the sinkhole and also was actively taking bids to do so. Larry Weis, Public Works Director of Deerfield Township was acting as the agent of the District as this was a private property issue of which the District was to be responsible for acting upon.

- **Action Taken/Required:** The DRSWD shall meet with the Deerfield Township Trustees, as soon as possible to discuss resolution of the problem which has occurred in the Greenfield sub-division located with Deerfield Township.

This issue brought up the previously addressed creation of a Private Property Policy for the District, of which the Board had began a draft of but, had not yet formally put into place. Eric Luckage said this policy needed to be completed as soon as possible as the situation at hand will cause more community members to request assistance in resolving problems on private properties and there must be a policy as how to decide who receives assistance and in what order. Walt Daniels agreed that a ranking system needed to be implemented with the policy in order to deal with the most serious problems as they occur. Mr. Luckage and Dr. Coleman agreed to prepare a draft of this policy and the Board would then meet and discuss this policy further to finalize its content.

- **Action Taken/Required:** Eric Luckage and Jamie Coleman will create a comprehensive draft of a Private Property Policy to be presented to the Board for discussion and implementation.

Diana Halligan, again addressed the Board informing them that the Center for Watershed Protection recently had published an article about policies for municipalities regarding residential drainage ditches which she thought might be beneficial in their efforts to create this policy.

Susan Berger mentioned a letter which was received by the Warren County Water and Sewer Department and which was forwarded to the District for action, sent by a community member, Gail Saunders, regarding the storm water user fees being assessed at her property located at 8260 Snider Road, Mason, Ohio. Ms. Berger agreed to investigate the situation presented in the letter and report back to the Board on her findings as more information was needed to address Ms. Saunders concerns.

- **Action Taken/Required:** Susan Berger shall further investigate the information contained in the letter from Ms. Saunders and the property located at 8260 Snider Road, Mason, Ohio and report back to the Board with her findings.

Illicit Discharge Detection/Elimination Plan Dr. Coleman advised he had forwarded this Plan to Larry Weis, Public Works Director of Deerfield Township and was awaiting his response as to Deerfield Township's comments and possible coordination of efforts in this area.

Storm Water Fee Update This item was addressed under CDM Update agenda item.

Storm Water Fee Refunds Susan Berger created a draft copy of the policy which needs to be created with regard to storm water fees and refunds. Due to the initiation of the fees, there have been occasions where customers have prepaid and moved or where they have been inaccurately charged and the District has found that it is now necessary to have a standard policy in place to deal with these types of situations. The Board reviewed the draft of Susan's suggestions saying it was a good beginning and asked that Eric Luckage review the same and re-address the creation of such a policy. Mr. Luckage agreed that there should be a policy in place so that Warren County does not have to make the decisions as to whom and under what circumstances a refund is appropriate and due.

Southwest Ohio Storm Water Collaborative Ms. Berger reported that the SWOSWC met again about two weeks ago and made a decision to utilize the Clear Station channels, i.e., FOX, KRC, MIX, KISS and The Source, for the radio advertisements and outreach. They also discussed using Radio One, which consists of ethnic stations as MOJO, and the WIZ but, as these stations do not have a strong signal in Warren County they would not be funded with monies from the Warren County area, however, these ads could still be credited as outreach within the District. Members also discussed the possibility of being part of the Cincinnati Reds radio broadcasting but this would be a future endeavor which they are exploring and found that it would be quite expensive but would reach a large area of listeners. She further said the campaign was scheduled to begin in April and they were hoping to include in the radio ads, a tip of the day according to the season, also they were looking at having contests as last year whereas trivia questions pertaining to storm water would be aired and directing contestants to the SWOSW web site to obtain the answers and then award prizes accordingly. The Collaborative hoped to secure environmentally friendly prizes as donations from local area businesses and some examples might be oil changes (versus doing in driveways) and plants from gardening centers.

DFT/SWD Communications This item was addressed as part of the Greenfield Place Sub-Division sinkhole(s) agenda item.

NEW BUSINESS:

Annual Fiscal Report and Letter of Engagement The Board received a Letter of Engagement from the accounting firm of Balestra, Harr, & Scherer, LLC, regarding their creation of the District's Annual Fiscal Report and for their signatures.

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Tim Grieve to sign the Letter of Engagement received from Balestra, Harr, & Scherer, LLC giving their approval for said firm to compile the District's 2006 Annual Fiscal Report. Vote: All Yes.

The Board then reviewed a draft copy of the District's 2006 Annual Fiscal Report as prepared by Balestra, Harr, & Scherer, LLC which resulted in the following motion:

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Walt Daniels, to accept the District's 2006 Annual Fiscal Report as prepared and presented by Balestra, Harr, & Scherer, LLC, with the deletion of the word "school" as set out on Page 12 of said report. Vote: All Yes.

Annual Report to OEPA Dr. Coleman reported that he and Susan Berger had met and further reviewed the information to be included in the annual report to the OEPA. Dr. Coleman said he would compile a draft copy of the report, by early next week and would submit it to the Board for review and comments.

- **Action Taken/Required:** Dr. Coleman shall prepare a draft of the Annual Report to OEPA and submit same to the Board for review.

Deerfield Township Watershed Model Presentation

This item was moved and presented after comments from the general public as noted above.

COMMENTS FROM BOARD MEMBERS: Tim Grieve inquired about the previously mentioned Annual Sediment & Erosion Control Field Day, and expressed his interest in attending and representing the District. Mr. Daniels asked that Dr. Coleman forward the email he had received from Marsha Rolph regarding this event, to the Board for their consideration in sponsorship and attendance.

- **Action Taken/Required:** Jamie Coleman shall forward the email which he received from Marsha Rolph regarding the Annual Sediment & Erosion Control Field Day to the Board members for consideration.

Susan Berger informed the Board of the publication of the current Deerfield Digest had been sent out which included an article she had composed on behalf of the District. She added, this article will be utilized to comply with the public outreach mandate and included in the annual report to the OEPA. She also mentioned while speaking with Amy Pond, Education Specialist for Warren County Soil and Water Department and Dave McElroy, Director of Warren County Soil and Water Department, about educating school age children regarding storm water, they had met some resistance with the Mason

Schools and were attempting to develop various ways of distributing information that the children could possibly take home for their parents review. They also discussed contacting the various homeowners associations with the County as asking them to assist in stream cleanups in their neighborhoods. Other areas were considered as stream cleanups in the various local parks. Tim Grieve suggested placing flyers in the parks inviting residents to participate in these efforts.

RESOLUTIONS:

Eric Luckage presented the following previously adopted resolutions for signature of the Board: Resolution 2007-04, Approving re-appropriation of funds within 2007 Budget as presented; Resolution 2007-05, Revoking Resolution 2006-49, dated December 12, 2006; Resolution 2007-06, Accepting and approving payment of the February bills as presented; Resolution 2007-07, Accepting and approving CDM Task Order No. 7 and Task Order No. 8 as presented.

MOTION FOR ADJOURNMENT

Walt Daniels made a Motion, seconded by Susan Berger, to adjourn at 9:40 P.M. Vote: All Yes.

Next Regular Meeting: April 10, 2007

The Deerfield Regional Storm Water District Board meets the second Tuesday of every month at 6:30 p.m., unless otherwise notified.

Attest:

Susan Berger, Secretary/Treasurer