

DEERFIELD REGIONAL STORM WATER DISTRICT
SPECIAL DISTRICT BOARD MEETING

March 27, 2007

CALL TO ORDER:

The meeting was called to order by Walt Daniels at 7:08 p.m.

ATTENDANCE:

Those present at the meeting were:

Board Members:	Walt Daniels, Susan Berger, Tim Greive
Legal:	Eric Luckage
Engineering (CDM):	Jamie Coleman, Jeff Macomber

SEC Field Day

Ms. Berger asked that the board consider sponsorship of the Sediment and Erosion Control Field Day on June 12, 2007.

- Action Taken/Required: Susan Berger made a Motion seconded by Tim Greive to sponsor the SEC Field Day at the \$500 level and to obligate said amount. Vote: All Yes.

Annual Report

The Board discussed the annual report submitted by Dr. Coleman. Ms. Berger had e-mailed changes to Dr. Coleman. All agreed that the report should be submitted with those changes. Ms. Berger suggested that Dr. Coleman should send her the final copy, and she would write a cover letter for it.

Greenfield Place Subdivision

The Board discussed where the water enters the system and how flooding on Plumfield Court might have occurred based on the problems of collapsed pipes and sinkholes previously brought to the Board's attention.

The Board then discussed the kinds of easements available if the Board decided to pursue repairs at Greenfield Place. Mr. Luckage presented two kinds of easements:

1. Temporary Construction Easement – would expire following construction;
2. Permanent and Temporary Easement – the temporary easement would expire following construction and the permanent easement would run with the land. This

option would allow the District to enter upon the easement area if it chose to make any future repairs.

Mr. Daniels suggested that the Board decide whether to take on the repairs in Greenfield Place before more discussion. Mr. Greive pointed out that this kind of work is part of the Board's mandate. Ms. Berger referred to the annual budget saying that about ¼ of the budget was for Capital Improvement Projects. At this time Ms. Berger also presented information on how the City of Mason ranks their public and private property projects.

- Action Taken/Required: Susan Berger made a Motion seconded by Tim Greive to have CDM prepare a Task Order which would include preparation of design plans, cost estimates, evaluation of the problem, and recommended solutions. Vote: All Yes.

The Board then discussed ways to pay for the project. Mr. Luckage presented the pros and cons of Special Assessments against the properties which would benefit, pointing out that there were a lot of steps to go through if the Board used this method. He stated that the Board should adopt a Resolution of Anticipation which would preserve the Board's ability to borrow money or use assessments to do the project.

- Action Taken/Required: Tim Greive made a Motion seconded by Walt Daniels to adopt a Resolution of Anticipation for the Greenfield Place project, as follows: That pursuant to U.S. Treasury Regulation Section 150-2, the District hereby declares that it reasonably expects that the capital expenditures described in this paragraph (the "Capital Expenditures"), which were paid no earlier than sixty (60) days prior to the date of this resolution, or which will be paid prior to the issuance of any obligations intended to fund such Capital Expenditures (the "Obligations"), will be advanced from the general fund of the District and will be reimbursed with proceeds of the Obligations representing a borrowing by the District for such Reimbursements in the maximum principal amount of one hundred thousand dollars; and the Capital Expenditures to be reimbursed are to be used for the purpose of capital improvements, including legal and engineering for planning purposes and operating expenses related to the Greenfield Place storm water repair project. The District does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed), to be reserved, allocated on a long-term basis, or otherwise set aside by the District or any other entity, with respect to the Capital Expenditures for the purposes described in this paragraph. Interest on the Obligations is expected to be exempt from income taxation under the Internal Revenue Code of 1986, as amended. Vote: All Yes.

Mr. Macomber of CDM said he could have draft task order to the Board by the end of the week. Mr. Luckage handed out a checklist of legal requirements for Regional District assessment projects.

Mr. Luckage also mentioned voluntary assessments which are less complicated than special assessments. He said if the Board decides to have the residents pay part of the

cost, then this option could allow the property owners who agree to be assessed to pay the assessment up front or have the amount appear as a voluntary assessment on their taxes over an amount of time determined in agreement with the Board. Voluntary assessments are essentially agreements where the property owner consents to the assessments and waives all rights to challenge the assessments. It helps expedite the process. However, Mr. Luckage added that any assessment process is time consuming and involves administrative costs, which can be extensive. Consequently, because of the relatively low projected cost of the project, it may not make financial sense to finance the project through special assessments. Additional study is needed.

Identifying New Properties in the Township for Fees

Mr. Daniels brought up the issue of identifying new construction in the Township for the Storm Water User Fee. Mr. Luckage read from the contract with Warren County wording that suggests that the Water and Sewer Department should notify the District Board when new meters go online and then the Board will provide the ERUs. The Board asked Mr. Coleman to pursue this issue.

Adjournment

Mr. Daniels moved to adjourn at 9:10 p.m. Mr. Greive seconded. All voted 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