

**DEERFIELD REGIONAL STORM WATER DISTRICT  
REGULAR DISTRICT BOARD MEETING  
4900 Mason-Montgomery Road, Suite 180  
Mason, OH 45040**

**August 14, 2007**

**CALL TO ORDER:**

President Walter Daniels called the meeting to order at 6:35 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
Technical Consultant:	Jeff Macomber, Camp, Dresser & McKee, Inc.
Administrative Assistant:	Cathy Herrick
Warren County SWCD:	Marsha Rolph and Amy Pond
Public:	David Caruso

**APPROVAL OF MINUTES**

The Board reviewed the Regular Board Meeting minutes of June 12, 2007 and the Regular Board Meeting minutes of July 19, 2007, resulting in the following motion:

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Tim Greive to accept and approve the minutes from the Regular Board Meeting of June 12, 2007 and the Regular Board Meeting of July 19, 2007, as written. Vote: All Yes.

**REPORTS OF BOARD, AND COMMITTEES**

**Treasurer's Report:** Susan Berger presented the treasurer's report as shown on a copy of the income and expenses versus budget report and a reconciliation summary of the District's current receipts and disbursements through July 31, 2007. Ms. Berger advised the Board the report did not include interest accrued to date, as she had been out of town and did not have that information available to her while creating this report but would update the information in her August report. Mr. Daniels inquired about the cash balance

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to date. Ms. Berger reported the current balance as shown on the reconciliation summary was \$260,524.96, which did not reflect a deposit made on August 14, 2007, in the sum of \$16,546.11, nor outstanding transactions.

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Greive, to approve and accept the Treasurer's Report as presented. Vote: All Yes.

Ms. Berger then presented the bills for July as follows:

***Payment of the Bills:***

- Albers & Albers Inv. # 10457, in the sum of \$3,409.25;
  - Cathy Herrick, wages & mileage for May in the sum of \$502.45;
  - Cathy Herrick, reimbursement for postage in the sum of \$7.40.
- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels, to approve and pay the invoices as presented. Vote: All Yes.

**SPECIAL ORDERS:**

None.

At this time, President Daniels welcomed Marsha Rolph, Urban Stream Specialist and Education Specialist Amy Pond, of Warren County Soil and Water Conservation District to the meeting. They came to present a stream cleanup project they were initiating and organizing in conjunction with Mason, Deerfield Regional Storm Water District and Warren County. Ms. Rolph also reported, she and Ms. Pond had been in contact with Kathy Dorman, of Mason and learned she was also interested in participating in the efforts to conduct this stream cleanup. Tim Greive inquired as to who would be in charge of this event, to which Ms. Rolph replied, ultimately Warren County.

Ms. Rolph informed the Board, the event has been tentatively scheduled for the afternoon of October 27, 2007, with a cookout for the volunteers to be held after the cleanup. Ms. Rolph informed the Board, although the date they had chosen was quickly approaching, the details of the cleanup were still in the preliminary stages. She said the stream chosen to work on would be the Little Muddy Creek. She also mentioned, she had been in contact with Diana Halligan who is very active in these types of activities and Diana had asked about creating a website for this purpose. Marsha suggested, Ms. Halligan did not need to develop a separate site from those existing but thought it might be appropriate if she could link to the storm water sites as she has some good ideas and could share some valuable information by doing so. Amy Pond added a collaborative website would work well.

A discussion of various ideas on how to successfully complete the stream cleanup ensued. Ms. Rolph shared an example of the details involved which she had received from the annual East Fork Riversweep which is held in Clermont County and included materials needed, waivers for participants and additional information about the cleanup. It was agreed, liability waivers were needed to protect the sponsors prior to volunteers participating. Eric Luckage said this was an important part of the preliminary planning and suggested checking with the Warren County Prosecutor and Mason's attorney so that all waivers are the same in content. Mr. Luckage also suggested the Board should check with their current insurance agent regarding liability coverage which may already be in place but, in the event, there is no coverage, the possibility of a rider being created to include this type of event.

- **Action Taken/Required:** Walt Daniels asked Cathy Herrick to contact Jeff Markovic, the District's insurance agent, and inquiry about coverage and liability associated with volunteers participating in the stream cleanup effort and report her findings to the Board.

Other information was discussed such as, how to get volunteers by utilizing mailings, web sites and also having a sign-up sheet at the upcoming Deerfield Day festival. It was reported, Mason was currently offering assistance with food and other expenses. Mr. Daniels inquired as to the costs associated with sponsoring such an event. Ms. Rolph informed the Board, there were many details to work out and she hoped to have a better idea of actual numbers prior to the next regular Board meeting and would keep the Board informed. Eric Luckage said the Board could make a motion to participate leaving the actual amount to be expended open until the costs were arrived at and designate the amount at that time.

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Walt Daniels, to participate in the stream cleanup of the Little Muddy Creek to be held on October 27, 2007, in conjunction with Mason and the Warren County Soil and Water Conservation District, to include costs of food, supplies, and trash pickup. Vote: All Yes.

#### **COMMENTS FROM GENERAL PUBLIC:**

Public member, David Caruso, of 8788 South Cove Drive, was in attendance and invited to address the Board at this time. Mr. Caruso spoke to the Board regarding a storm water ditch crossing through his property, continuing across the roadway and eventually draining into Landen Lake. He was concerned as the ditch, is overgrown with weeds and vegetation causing debris to collect there and when there is a storm event and after drainage occurs, he is left with a soggy area in his yard. He said he spoke with Eric Reiners of Deerfield Township who inspected the area and advised it was a private property issue and not an easement or an area which Deerfield Township could address. Mr. Daniels inquired as to whether Mr. Caruso had looked into costs to repair the area to

which he replied he had not actively pursued estimates but one contractor had estimated around \$10,000.00 to have it properly repaired. Mr. Caruso added he felt it could be remedied at a lesser cost and hoped the Board would be able to offer some sort of assistance or direction in doing so. Susan Berger advised Mr. Caruso that the flow of the stream could not be altered but there were possible solutions. Jeff Macomber agreed saying a catch basin and drainage pipes would alleviate the problem but may cost thousands of dollars to accomplish. President Daniels asked Mr. Macomber to meet with Mr. Caruso at his property and do a visual inspection of the area in question and report his findings back to the Board. He also asked Mr. Caruso to complete a Request for Assistance form as required by the District and submit it to the Board for ranking and consideration in future assistance with his concern.

### **UNFINISHED BUSINESS AND GENERAL ORDERS**

**CDM Update:** Jeff Macomber began by reporting on the various task orders as follows:

Task Order No. 6 – Illicit Discharge Detection and Elimination Plan – the comments received from Susan Berger are being incorporated into the Plan.

Task Order No. 7 – General Support, Ranking Methodology – Costs and ranking was developed at July, 2007 board meeting. The ranking of projects has not been completed to date but will be done and available for review prior to next meeting.

Task Order No. 8 – Drainage Issues – Visited Plainview Court with Eric Reiners, Project Manager, of Deerfield Township. Deerfield Township and their agents will do major portion of work with the District's portion to be approximately \$4,323.96. It will be necessary for a temporary easement to be secured by the Township for completing work then ownership will be returned to private property owners for their maintaining upon completion. The Board agreed this was a very important step and the property owners needed to be well aware of their responsibilities at the conclusion of the project. The Township is looking at November, 2007 to begin the project.

Walt Daniels inquired if this project had been put through the ranking process. Mr. Macomber informed the Board it had not yet been done but, he would do so. Also, the question arose as to whether or not the Township had submitted a Request for Assistance form. This too would need to be completed prior to a commitment from the District. Jeff advised that he would discuss with Mr. Reiners on behalf of the District.

- **Action Taken/Required:** Jeff Macomber shall discuss the necessity of Deerfield Township completing and submitting a Request for Assistance form with regard to the Plainfield Place project and CDM shall conduct the ranking system process on said project and present the results of same to the Board for review.

While discussing the ranking of projects, it was suggested by the Board, each member of community which has approached the Board for assistance, to date and prior to the ranking system and request for assistance forms being in place, be notified of these steps and be given the opportunity to re-address any concerns which they may wish for the Board to consider.

- **Action Taken/Required:** The Board requested Jeff Macomber send a letter to each community member who had previously addressed the Board with a storm water concern and advise these community members of the Request for Assistance form as well as the Ranking Methodology so they may have the opportunity to be properly considered for assistance if applicable.

Callahan Residence – After investigation, it was determined the Callahan residence lies on the North side of Irwin Simpson Road. The neighboring Baltman residence has a ditch which is overgrown with vegetation and is causing the Callahan residence’s septic system to backup and not allowing the proper flow. It was decided, if the Baltman’s would clean this area it would remedy the problem at the Callahan residence and Eric Luckage would draft a letter to the Baltman’s asking them to do so. After speaking with Eric Reiners regarding this matter, Jeff Macomber learned the Baltmans are not interested in having the septic discharge from the Callahan’s property coming through their property. Walt Daniels suggested Jeff check with the state of Ohio regarding the health issue involved. Eric Luckage suggested checking with the Warren County Board of Health as a first course of action. Susan Berger inquired as to whether or not the Township was planning to add sanitary sewers along Irwin-Simpson Road.

- **Action Taken/Required:** Jeff Macomber shall check with the Warren County Board of Health as to whether there is any recourse on the Callahan’s behalf as to the impeding of the natural flow being caused by the Baltman’s property. Mr. Macomber shall also investigate the likelihood of the Township’s installing sanitary sewers in the area of Irwin-Simpson Road.

Heistler Residence – After investigating, it was found the ditch on Fields-Ertle Road and along this residence property runs full. Upon discussion with Chuck Petty, Warren County Engineer, it was learned a traffic study is being done on Fields-Ertle Road to decide how to improve the roadway. The actual improvements are several years away and do not currently include culverts. However, the project will impact drainage in that area.

Task Order No. 9 – Greenfield Place – Mr. Macomber said he had met with Lorraine Charbonneau. He reported she had asked him for the pictures, maps and plats including the easement language she had given to CDM. She informed him she needed the information as she was attempting to get some formalized plan of action or the position of Four Corners Management and Paul Swartz. Eric Luckage advised the District needed

to be cautious with their involvement as it appears Ms. Charbonneau is interested in some potential litigation.

Task Order No. 10 – Outfall Mapping – All outfall mapping has been completed. Mr. Macomber shared a map indicating all outfall sites visited. There have been 291 outfall inspections completed in 2007, with 24% showing a detectable discharge but, not all are illicit discharge. These areas detected are scattered over each of the Township’s watersheds. Mr. Macomber also reported in 2006 and 2007 combined there were 467 outfalls inspected with 101 locations showing dry weather flow, which amounts to approximately 21%. As he is currently in the process of compiling a final report, he inquired of the Board if they would prefer two separate reports or if it would be feasible to combine both into one final report to which they agreed.

Susan Berger inquired as to whether or not these dry weather flow areas which were identified would be re-checked. Mr. Macomber replied it was not likely as there were many and this was a significant undertaking to re-check each site. Tim Greive asked if there were any statistics gathered while doing the initial inspections. Jeff reported there were such as color, odor, and amount of flow. Mr. Greive suggested returning to the worst sites and monitoring them for potential illicit discharge.

Mr. Macomber then reported new developments, particularly Regal Cinemas and the Mr. Clean Car Wash, which had been captured with ERUs being assigned and would be invoiced retroactively to include storm water fees from their date of opening and operation. Walt Daniels inquired if Jeff had had the opportunity to connect with Lois McKnight yet regarding other new developments and assignment of ERUs. Jeff reported he had attempted to contact her but she was out of town the past week. He said he would continue his attempts in contacting her and update the Board as information was received.

**Ranking Methodology** Eric Luckage reported he had reviewed the language of the Private Property Drainage Assistance Policy to become part of the DRSWD Code of Regulations. Mr. Luckage advised he had made changes in the draft affecting Sections 403, 404, 405 and 499 of the policy and gave each member of the Board a copy of same. Mr. Luckage said he took the liberty of creating a resolution reflecting these changes for the Board’s approval and vote.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels, to approve the amendments to Sections 403, 404, 405 and 499 of the Deerfield Regional Storm Water District’s Code of Regulations. Vote: All Yes.

**Certification of Delinquent Accounts** Susan Berger began a discussion regarding delinquent storm water accounts saying the District had received a list from Warren County Water and Sewer containing accounts which were now sixty (60) days past due and the normal practice of Warren County was to certify these accounts by placing a lien on the property owners tax bill in an effort to recoup these charges. The list included

information such as names, account numbers, sidwell numbers, and total charges due but did not include addresses. An inquiry was made to Warren County and it was learned they do not handle certifications of any other accounts being billed through Warren County but the District was responsible for sending out letters to each account holder and notifying them of an impending lien, if payment was not received in full, and prior to the second Monday in September, as this was the deadline to certify the accounts for placement of a lien and inclusion on the 2007-08 tax bills. Eric Luckage added this was a procedural process which needed to be handled by the District. After discussion by the Board, it was decided to make an attempt to secure the property addresses and tax mailing addresses of these account holders to notify them of the intent of the District to place a lien upon their property taxes if the accounts were not immediately paid in full.

- **Action Taken/Required:** The Board requested Cathy Herrick to contact Sue Martin of Warren County's data processing department and request an electronic listing of the addresses of delinquent account holders and to also inquire if a fee is charged in certifying these delinquent accounts and report back to the Board with her findings.

**Southwest Ohio Storm Water Collaborative** Susan Berger reported she had attended another meeting recently of the SWOSWC where the attendees discussed the possible utilization of television advertisement for public outreach purposes. The local station, WCPO, submitted a proposal where Collaborative would have an active role in writing and producing such commercials and it was decided they would conduct a survey prior to these ads beginning and then upon conclusion of their airing to determine their effectiveness. She also said these ads would include spots where the weather person would include storm water related facts in their regular presentation of the daily weather broadcasts with possible contests in connection with the information being relayed. Ms. Berger stated, although this is an expensive venture, this type of advertising would reach most households as it will be aired on free television versus cable television which only reaches approximately 60% of the public viewers. She added, it was said a sample of what the station has offered would include approximately 22 commercials per week, aired a various times and throughout various programming at a cost of \$2,500.00 per week. The Collaborative planned to further discuss this avenue at their future meetings. They asked that members explore different ideas utilizing web sites for advertising as well, as it was decided the radio advertisements were not as effective as they had hoped. The next meeting of the SWOSWC was scheduled for August 28, 2007. Walt Daniels inquired as to the timeframe involved on the television commercial idea. Ms. Berger informed the Board this was only being discussed at this time and the Collaborative was planning ahead for the upcoming year.

**DFT/SWD Communications** Walt Daniels relayed he and Dan Corey had not had a chance to talk recently due to the administrative office move of Deerfield Township. Mr. Daniels expressed his vision of the two boards working more closely together, which he felt was the goal of the Township as well. Mr. Daniels said there were many areas where they needed to communicate effectively especially with the concerns involved with the

Plainview Court project and the purchase of the Vacs truck. Tim Greive added he had spoken to Eric Reiners, Deerfield Township's Project Manager, who inquired if the Board had any conflict with him contacting CDM directly while working on the Plainview Court project to which Mr. Greive advised him it would not be a problem with the Board.

**Deerfield Day:** Susan Berger reminded the Board of the upcoming Deerfield Day event to be held on September 15, 2007, from 12:00 p.m. to 8:00 p.m. at Cottell Park in Deerfield Township. Members of the Board discussed various times they would be available to assist in the District's booth and what type of materials would be distributed. Jeff Macomber agreed to bring the storm water display models which CDM has for interactive and visual utilization at the event. Ms. Berger said she would talk with Marsha Rolph and Amy Pond of Warren County SWCD to invite them to participate with the District's public education and outreach efforts. Ms. Berger added, she still had packets of information available for distribution from last year's event which she would bring.

**New Business:**

None.

**COMMENTS FROM BOARD MEMBER**

Susan Berger shared a flyer which was produced by Hamilton County to educate their homeowners on easement responsibilities. She continuing by saying Hamilton County distributes this information to their residents along with their certificate of occupancy and suggested maybe something similar could be done in Deerfield Township.

Tim Greive said he appreciated the status reports received from CDM via email. He felt they kept everyone well informed between meetings.

**RESOLUTIONS** Eric Luckage presented the following previously adopted resolutions: Resolution No. 2007-27, Election of Officers of the Board; Resolution No. 2007-28, Approving payment of the June bills as presented; Resolution No. 2007-29, Approving Task Order No. 10 as presented; Resolution No. 2007-30, Approving payment of the July bills as presented; 2007-31 Adopting of Cost Benefit Ranking Method as presented by CDM; Resolution No. 2007-32 Approving purchase of a laptop computer for District use; Resolution No. 2007-33 Approving amendments to Sections 403, 404, 405, and 499 of the DRSWD's Code of Regulations.

**MOTION FOR ADJOURNMENT**

Susan Berger made a Motion, seconded by Tim Greive, to adjourn at 9:35 P.M. Vote: All Yes.

**Next Regular Meeting: August 14, 2007**

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

Attest:

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Susan Berger, Secretary/Treasurer