

**DEERFIELD REGIONAL STORM WATER DISTRICT  
REGULAR DISTRICT BOARD MEETING  
4900 Parkway Drive, Suite 180  
Mason, OH 45040**

May 13, 2008

**CALL TO ORDER**

President Walter Daniels called the meeting to order at 6:30 P.M.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ATTENDANCE**

**Those present at the meeting were:**

Board Members:	Walt Daniels, Tim Grieve, Susan Berger
Attorney:	Eric Luckage, Esq., Albers & Albers
Engineering Consultant:	Chris Calpin, CDM
Warren County:	Chuck Petty, Assistant Engineer
Public Members:	Frank Krailler, Warren Timmer, Jon Winer, Bill Coffey, Bryan Eders, Jeffrey Klima, Steve Waldmann, Janeen Coyle-Moody, Jim Kuhnhein, Mary Ossai-Charles, and Doug Lazar

Due to the attendance of many public members wishing to address the Board, President Daniels suggested allowing them to present their concerns at the beginning of the meeting rather than in the order of the agenda and as follows:

**PUBLIC FORUM:** The following public members addressed the Board:

- 1) Steve Waldmann, Manager of School Business Affairs, Kings Local School District. Mr. Waldmann provided copies of the plan stated his objective for addressing the Board was to bring them up to speed on the improvements which are planned and being made at the Kings High School and Kings Junior High School with regard to their storm water management plan. Mr. Waldmann stated there were 16 acres of parking areas and impervious surfaces which the school district was attempting to control storm water run-off and particularly the drainage affecting the Riverwood Trails subdivision. Currently, they are addressing the run-off from the North parking lot and although not required, have

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added a second retention pond and catch basin by the tennis courts and an additional hillside basin on the East side of the parking lot and bus garage to control drainage into the proposed third retention pond. The retention pond to be located on the West side will pick up water running from the South side of the stadium. Mr. Waldmann gave information about the statistics of allowable flow, indicating how these detention basins will be retaining more water than required and thus should prove to be more than adequate in serving their purpose and alleviating the flooding issues concerning the neighboring areas.

Mr. Waldmann said the school is currently working with Warren County on this project and they actually began on May 12, 2008, with the major portion of construction to begin when school is dismissed for the summer and beginning on May 28, 2008. A complete copy of the Kings High School and Junior High School Erosion Control and Stormwater Management Calculations for Building Expansion and Parking Modifications was provided to the District and is available for review.

- **Action Taken/Required:** Walt Daniels asked Chris Calpin to meet with the residents of Riverwood Trails and advise them of the impending construction to begin in May, 2008.
- 2) Bill Coffey, 3480 Ketch Court, Sailboat Point, Landen – Mr. Coffey expressed his objective was to establish communication between the Board and the Landen CSA and advise of their efforts in controlling the sediment which was recently cleaned-up from Landen Lake and measures they had taken to avoid this from happening again. Mr. Coffey shared photos and maps of the underground piping system and diffuser located at the downstream end of the lake. The L.F.C.S.A. is also evaluating options to install a silt trap to be located fore the mouth of the lake which should prove to alleviate future problems without disturbing Simpson’s Creek.
- 3) Janeen Coyle-Moody of 9811 Whippoorwill and Jim Kuhnhein of 9831 Whippoorwill – These two neighbors brought their concern to the Board regarding a drain which was built between the two properties during the construction of the homes and is now collecting debris from Polk Run and causing flooding. The neighbors inquired as to whether they could get assistance in cleaning the debris from the culvert as it is located within Polk Run and added that during the recent rain events, severe erosion is occurring leaving a six (6) foot drop-off and uprooting trees making the area more treacherous.
- **Action Taken/Required:** Susan Berger requested that CDM do a site inspection of the area and provide a Request for Assistance form to them for ranking and consideration of the Board.

- 4) Bryan Eders – 8827 Lea Place – Mr. Eders wanted to make the Board aware of a situation occurring on and about his property whereas an area church is proposing to construct a 6500 sq. ft. building along with a paved parking lot and received approval to begin construction in February of this year. Mr. Eders stated there was already a flooding problem caused from upstream the impervious surfaces which will only exacerbate the problem when added to the proposed church property impervious area. He and the neighboring lots (153, 154, and 155) have placed drainage tiles around their properties and were advised there would be no further flooding problems but have discovered the situation has worsened. Walt Daniels thanked Mr. Eders for being proactive in trying to control the situation and sharing the information with the Board.
- **Action Taken/Required:** Walt Daniels asked Chris Calpin if he would further investigate this matter with Chuck Petty, Asst. Warren County Engineer and advise the Board of his findings.
- 5) Jeff Klima – 6576 Fields Ertel – Mr. Klima reiterated his previous complaint of flooding on his front lawn coming from the Montclair Subdivision area and causing significant erosion and damage to his property. He inquired about any type of update on his situation. Chris Calpin informed Mr. Klima and the Board of his correspondence with the Warren County Engineer’s office regarding the proposed Fields Ertel corridor improvement plan and that he had requested Mr. Klima’s property be encompassed within the plan. Mr. Klima also indicated he was not interested in waiting several years for results. As Mr. Petty was in attendance at this Board meeting, he advised that the letter was currently on his desk and until it is known what the final corridor improvements plan will actually entail, it is unclear what the fix in his particular situation will be. Walt Daniels advised Mr. Klima his Request for Assistance will be ranked according to the District’s ranking system and will be addressed in the order of severity as the system allows keeping in mind, situations with possible lose of life involved must be ranked as a first priority.
- **Action Taken/Required:** Chris Calpin advised, Kurt Weber of the Warren County Engineers office was the person responsible for the final corridor improvement plan and he would check with Mr. Weber to find out if Mr. Klima’s property would be included in the final fix or if there would be another way for Mr. Klima to do something in the meantime.
- 6) Mary Ossai-Charles – 9788 Summers Pond Drive, Walnut Grove sub-division – Ms. Charles addressed the Board with the assistance of Mr. Chuck Petty, Assistant Warren County Engineer. Ms. Charles expressed her concern as to a silt and bacteria situation occurring on her property which resulted from the developer/previous owner of her property creating a detention pond on the property for the subdivision which was to accommodate all run-off from said

subdivision. She also indicated a problem with algae in the pond due to her being unable to keep an aeration system properly working due to the expense. She stated the development has a homeowner's association but she is not receiving any assistance from other property owners although their properties' are utilizing the pond as a source of drainage. Apparently, the homeowners association has not assisted with maintenance costs because the pond is on Ms. Charles' property and therefore, she owns it, not the association. Chris Calpin suggested utilizing vegetation to help alleviate the algae problem and also education of the homeowner's association members advising them of the benefits of maintaining this pond by all residents, as well as, a review of the covenants to encourage sharing the responsibility of said maintenance.

- **Action Taken/Required:** Tim Greive agreed he would be the contact agent for the District to further investigate the above discussed situation.

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

**CDM Update:** A summary of CDM's monthly activity was presented. Highlights of the summary are as follows:

#### **Task Order No. 11 – Illicit Discharge Investigation and Detection**

CDM reported activity with regard to investigations which included a new team of field technicians had been briefed on the procedure for investigating dry weather flows in anticipation of dry weather and there were plans to prepare a rainfall data tracking table to assist the District in determining the available days for investigations to be completed. No further activity was reported.

#### **Task Order No. 12 – Storm Water Modeling and System Evaluation – Phase I**

**Task 12.1 – Data Collection & Field Work** – It was reported CDM received updated GIS data and utilized the information to refine the watershed and subcatchment delineations, flow path lengths and slopes as well as subcatchment width parameters. The node locations were also finalized and the information was used to identify stream segments and their lengths.

CDM advised the Board it has become necessary to obtain GIS information from Butler County to fully understand the storm water impacts from said County on Deerfield Township.

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Walt Daniels to authorize purchase GIS data information from Butler County for West Chester and Liberty Township at costs not to exceed \$1,800.00. Vote: All Yes.

Mr. Calpin also provided soil sample charts compiled indicating the types of soil in various watersheds. He said by knowing this information it would prove to be helpful to determine the amount of infiltration the flow will cause.

No further activity was reported.

**Task Order No. 13. – General District Support Services:** Activities for the month included submitting the District’s 2008 Annual Report to the Ohio EPA. Updating the Board on the NPDES Construction Final General Permit changes and billing assistance in correcting several accounts which were mistakenly under charged on their storm water fees and the calculation of the ERUs due to an error in Warren County’s billing file data.

**Task Order No. 14. – 2008 Private Drainage Problem Investigation Support:**

**Greenfield Place Flooding Issue Update:** CDM met with Larry McCauley of Televac to obtain a quote on the costs to complete the televising of the pipe system within Greenfield Place. The amount quoted for the televising was reportedly \$1,660.00. By agreement of the Board, this current information regarding the additional televising of the remaining sections of pipes was to be added to the District’s website as to update the affected residents of Greenfield Place of the impending action.

**Riverwood Trails/Kings High School** - This topic was discussed at the beginning of the Public Forum section with a presentation by Mr. Steve Waldmann.

**Other Private Drainage Problem Investigations**

CDM conducted six separate field investigations of private property complaints and compiled and distributed memorandum reports on each location indicating their findings and potential solutions and/or recommended action. These investigations included Gina and Paul Krakovski, 7824 Plumfield Court, Dr. Shull, 6471 Irwin-Simpson Road, Stephen and Michelle Lang, 6335 Hummingbird Drive, Jon Winer and Matthew Timmer, 3884 and 3894 Spring Mill Way, John and Jan Cataline, 9242 Cedar Gate Drive and Doug Lazar, 9237 Cedar Gate Drive, and Frank Krailler, Underwater World, 8837 Columbia Road. Copies of said field investigations are on file and available for review.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels to take a short recess at 8:55 P.M. Vote: All Yes.

The meeting reconvened at 9:00 P.M.

**Plainview Acres Improvements** – State Issue 2 Funding – After reviewing the situation occurring at the Plainview Acres subdivision, it was agreed that State Issue 2 funding was a viable option to be applied for. Reportedly, Chris Brausch, of Warren County Water & Sewer, offered to work with the District or the Township in preparing such an application. As this project will be taking place in the public right-of-way, the Board

asked Chris Calpin to coordinate a meeting with Eric Reiners of Deerfield Township and Chris Brausch for the matter to be further discussed.

**Private Drainage Easements – Enforcement/Education** – Susan Berger suggested adding this topic to the Board’s agenda saying there was a need to educate the public regarding responsibility, ownership and maintenance of easements on private property. The Board agreed there was a need for more public education in this area. It was suggested utilizing the Deerfield Digest might be a way to publish information to help educate the public in this area.

**Certification of Delinquent Accounts Update** - Susan Berger and Chris Calpin were scheduled to meet with the Warren County Water and Sewer Department on Friday, May 16, 2008, to further discuss this topic. They hoped to have further updates at the next regular Board meeting in June.

**Regional Storm Water Collaborative:** Ms. Berger reported the collaborative is looking into a storm center education program which utilizes local newscasts for storm water education.

**DFT/SWD Communications:** Walt Daniels reported he had attempted to coordinate a meeting date with the Township Trustees and a couple of dates were discussed but he and Tim Greive had scheduling conflicts on those particular dates. Dan Corey was looking into some other possible dates for them to meet and was to get back with Mr. Daniels with some new dates.

Eric Luckage inquired as to the status of the Memorandum of Understanding which he had previously prepared and to be entered into between the District and the Township clarifying responsibility of public right-of-ways. Mr. Daniels advised he would inquire as to the Township’s position on the MOU when speaking with Mr. Corey.

### **APPROVAL OF MINUTES**

The meeting minutes of March 11, 2008, were presented for approval of the Board.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels to approve the Regular Board Meeting minutes of March 11, 2008, as presented. Vote: Daniels, Yes; Greive, Yes; Berger, Abstain.

The meeting minutes of April 8, 2008, were presented for approval of the Board.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Susan Berger to approve the Regular Board Meeting minutes of April 8, 2008, as presented. Vote: All Yes.

## **REPORTS OF BOARD, AND COMMITTEES**

**Treasurer's Report:** Ms. Berger reported the District showed a balance of \$418,452.25 in the bank.

### **Review of Monthly Invoices and Time sheets/Expenses:**

Ms. Berger presented the expenses for May as follows:

#### **Payment of the Expenses:**

- CDM, Inv. #3, T.O. #12, \$15,015.74;
- CDM, Inv. #3, T.O. #13, \$5,381.90;
- CDM, Inv. #3, T.O. #14, \$9,348.67;
- Albers & Albers, Inv.#10746, \$6,251.15;
- Warren County Water & Sewer, Inv.#08-069, \$257.00;
- Warren County Water & Sewer, Inv.#08-053, \$2,010.75;
- Cincinnati Bell, monthly voicemail/telephone \$34.91;
- Cathy Herrick, reimbursement postage and mileage, \$60.15;
- Balestra, Harr, & Scherer, Prep. 2008 Financial Report, \$1,000.00;
- Cathy Herrick, April wages, \$560.00;
- CORD, 2008 Annual Membership renewal fees, \$150.00;
- Deerfield Township, 2008 Deerfield Day booth fee, \$60.00.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels to accept and pay the invoices for April, 2008, as presented. Vote: All Yes.

### **NEW BUSINESS**

**Public Records Policy** – Eric Luckage presented a final copy of the DRSWD Public Records Policy for the Board's consideration and adoption.

- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels to adopt the Deerfield Regional Storm Water Public Records Policy as written. Vote: All Yes.

**COMMENT FROM BOARD MEMBERS** None noted.

**RESOLUTIONS:** Mr. Luckage presented the following previously adopted Resolutions: Resolution No. 2008-21, Payment of the monthly invoices; Resolution No. 2008-22, Accept and Approve submission of the District's Annual Report to the Ohio EPA;

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Resolution No. 2008-23, Authorizing approval of televising the remainder of affected areas of Greenfield Place subdivision with the assistance of Warren County Water & Sewer Department not to exceed \$4,000.00; Resolution No. 2008-24, Approving publication of public notice of availability of the District's Basic Annual Financial Report for 2008; Resolution No. 2008-25, Approving sponsorship by the District at the 2008 Warren County Soil and Erosion Field Day in the amount of \$500.00; Resolution No. 2008-26, Approving securing a booth at the 2008 Deerfield Day festival.

**EXECUTIVE SESSION**

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Greive, requesting the Board of Trustees and Chris Calpin continue the meeting in an Executive session beginning at 10:37 p.m., to discuss an imminent litigation situation related to Greenfield Place with the District's attorney, Eric Luckage. Roll Call Vote: Daniels, Yes; Greive, Yes; Berger, Yes.
- **Action Taken/Required:** Tim Greive made a Motion, seconded by Walt Daniels to end the Executive Session at 11:15 p.m. Roll Call Vote: Daniels, Yes; Greive, Yes; Berger, Yes.

**MOTION FOR ADJOURNMENT**

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Greive, to Adjourn at 11:16 p.m. Vote: All Yes

**Next Regular Meeting:** June 10, 2008

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