

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

September 9, 2008

CALL TO ORDER

Meeting called to order at 6:32 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
Administrative Assistant:	Cathy Herrick
Engineering Consultant:	Chris Calpin, CDM

Public Members: James E. Roschau, Jared Saperstein, Harold Sanders, Alan Batz, Gina Krakovsky, Chris Skindzier, Duane and Lorraine Charbonneau, Jan and John Cataline, Brad Greathouse, Sean Harper, Jay Steidle, Paul Abbinante.

APPROVAL OF MINUTES

- **Action Taken/Required:** Tim Greive motioned, seconded by Walt Daniels to accept and approve the minutes from the Regular Board Meeting of August 12, 2008. Vote: All Yes.

It was brought to the attention of the Board, the July 22, 2008, Regular Board Meeting minutes needed to be amended. An invoice from CDM was erroneously noted as being Task Order #13, for \$13,135.50 and should have read Task Order #13 for \$3,135.50. Also, Task Order #14 was for the amount of \$13,983.56 was omitted from the minutes and needed to be added. These invoices were, however, paid correctly.

- **Action Taken/Required:** Walt Daniels motioned, seconded by Tim Greive to amend the DRSWD Regular Board Meeting minutes of July 22, 2008, to reflect CDM Task Order #13, for \$13,135.50 be changed to \$3,135.50 and the addition of Task Order #14 for the amount of \$13,983.56. Vote: All Yes.

Deerfield Regional Storm Water District
Board of Trustees Regular Meeting, September 9, 2008

REPORTS OF BOARD, AND COMMITTEES

Treasurer's Report: Susan Berger reported she had made some adjustments by taking Task Order #14 out of the General Engineering category and moving this expense into the Capital Improvement Projects category as the task order is for providing private property investigations for the CIP list. It was also reported the bank balance was reconciled and in agreement with the financial reports.

Review of Monthly Invoices and Time sheets/Expenses:

- CDM, Proj. #63210, T.O. #11, \$8,901.30;
- CDM, Proj. #63353, T.O. #12, \$7,389.73
- CDM, Proj. #63108 T.O. #13, \$2,805.94;
- CDM, Proj. #63251, T.O. #14, \$5,723.62;
- Albers & Albers, Inv. #10873, \$6,785.80;
- Warren County Water & Sewer Dept., Inv. #08-118, \$2,019.00;
- Warren County Water & Sewer Dept., Inv. #08-137, \$261.00;
- Cathy Herrick, wages/Sept. 2008, \$863.00;
- Cathy Herrick, expense reimbursements (postage \$20.20, mileage \$105.50 and office supplies \$9.99, Vertical File Cabinet, \$185.98, Total reimbursement \$321.67;
- Minuteman Press, Inv. #79502, \$22.80;
- Cincinnati Bell, monthly voicemail/telephone, \$34.74;
- Susan Berger, expense reimbursement, wireless connecter for office computer, \$18.00;
- Treasurer, State of Ohio, Acct. #37A56WARR-FA207, \$1,862.13.

- **Action Taken/Required:** Tim Greive motioned, seconded by Walt Daniels to accept and pay the invoices for September, as presented. Vote: All Yes.

SPECIAL ORDERS None Noted.

PUBLIC FORUM

John and Jan Cataline, 9242 Cedar Gate Drive, emailed the District requesting to be added to the agenda for this meeting to again, address the Board and discuss the recently received CDM report concerning their original Request for Assistance. The main concern of the Cataline's appeared to be the question of how to redirect the flow upon making the recommended fixes as suggested by CDM's field investigation and report. Specifically, the Catalines asked if the Board would allow CDM to give them more detailed plans and assist them in overseeing this project. Due to the project's ranking being 6th on the District's CIP ranking list, the Board advised they could not make this project a priority

of the District at this time but, they could utilize the information which has been provided by CDM to incorporate into the project and complete on their own. It was recommended to the Board, by legal counsel, that CDM should not create detailed plans to be utilized by an independent contractor due to the liability aspect. It was further discussed, in the event plans for projects are created by CDM under the direction of the District and utilizing District funding, they must be overseen by the District. It was suggested, the Cataline's should contact the Warren County Health Department before proceeding with this project, to secure a certified list of contractors from which to choose.

James Roschau, who resides at 9658 Country Trail, Loveland, Ohio and not located within Deerfield Township but, owns property located at 2984 Stoney Hollow Court which is located within Deerfield Township, addressed the Board with an inquiry regarding his rental property. Mr. Roschau stated he is experiencing a problem with a neighboring property whose owner has installed French drains which he believes are on his land and drains thereon with no swale and also has installed downspouts which are buried and emptying on his property leaving mud and debris on the sidewalks. He asked if there was any recourse the District could suggest remedying this problem. The Board advised there was nothing they could do or assist with in this type of situation as they are not a regulatory government entity. It was suggested, Mr. Roschau contact the Warren County Soil and Water Conservation District regarding the mud and debris issue and the Warren County Engineer's office regarding the buried downspouts.

UNFINISHED BUSINESS AND GENERAL ORDERS

CDM Update: Chris Calpin presented a monthly update on the progress of the various uncompleted task orders. Specifically noted was Task Order No. #11, Illicit Discharge and Inspection/Detection, which has been completed and CDM is preparing an executive summary of their findings for review of the Board. Although it was originally hoped to have this report prepared by the October meeting it had not been completed by this date but, the Board was advised it would be available to include in the annual report. It was noted, out of 73 outfalls, 10 were still showing some type of discharge with plans of being re-checked. It was also noted, upon completion of Task Order No. #11, the project came in under the original budgeted amount with approximately \$30,000.00 less than anticipated in expense.

Per request of the Board, a field investigation of the property of Hari Jetty and Divua Desai, 5955 Squires Gate Drive was conducted whereas a complaint about a swampy area which was constantly occurring in the backyard area of the property proved to be the result of this being a dry detention basin. CDM suggested locating the property lines and any easements and that a fence be erected to alleviate access to the continuous wet area.

Greenfield Place Subdivision Update A discussion of the previously suggested options compiled by CDM's investigations and suggestions for repairing the Greenfield Place

Subdivision were reviewed. It was noted, the final report from the appraiser had not been received but, preliminary results indicated that over 600 property owners may benefit from the project. CDM suggested the estimated cost of completing the project, as far as the construction and repair cost are concerned, would reach approximately \$380,000.00. A discussion regarding various ways these costs could be broken down, i.e., different loan periods, the number of actual properties affected, the type of fix chosen to be utilized, etc. could change the bottom line as well.

It was decided, the Board would hold a special meeting upon receipt and review of the appraiser's final report. This would be a public meeting for all the owners of benefiting properties with the appraiser available to answer any questions regarding his report and personal notification letters to be sent to every property owner listed within the appraiser's report.

The Board further discussed the design bid and costs for completing the project within Greenfield Place. CDM added the costs as stated in association with the actual construction repairs and materials are additional to the bid design process which was estimated to take approximately 12 weeks to complete.

- **Action Taken/Required:** Walt Daniel motioned, seconded by Susan Berger to authorize CDM to prepare design plans, specification profiles and estimates of cost for the Greenfield Place storm sewer repair project. Vote: All Yes.

With the above action being taken, the Board discussed a timeframe as to the completion of the project. CDM provided an estimated timeframe of 30 weeks with many variables to be allowed for in this estimate of time. CDM advised the task order with respect to the Greenfield Place subdivision project would be compiled, as soon as possible. The assessment process was reviewed.

- **Action Taken/Required:** Eric Luckage agreed to prepare the personal notification letter to the residents who may be affected by the project and to be sent via regular mail delivery, upon completion of the appraisal process and receipt of the appraiser's report, and to advise the property owners of the special meeting to share and discuss the report.

Regional Storm Water Collaborative: It was noted, there was no additional update information at this time.

DFT/SWD Communications: Walt Daniels reported he had met with Pete Patterson, Deerfield Township Trustee and they discussed the Greenfield Place Subdivision project.

NEW BUSINESS

Procedure for Public Requests for Aid: Chris Calpin and Susan Berger had a discussion about the possibility of utilizing Warren County in assisting with the Request for Aid process. It was suggested that in addition to the current Request for Aid form and the information it contains, additional items needed to be added to the request for consideration, i.e., plat maps, pictures of the drainage concern, any correspondence with previously consulted governmental agencies or other properties which may be affected by the problem being addressed. With the addition of these documents and/or information the request could be processed in a timelier manner and would be a savings in time and expense for the engineers and the District in their investigations.

- **Action Taken/Required:** Chris Calpin shall email a list of items he would like to suggest being added to the Request for Assistance form currently being utilized to Susan Berger for updating the form.

Storm Water Conference 2009: Walt Daniels shared an email he received from Harry Stark organizer of the Storm Water Conference 2009. It is planned for May 14, and 15, 2009 to be held at the Manor House located in Mason. The organizer is looking for monetary sponsors as well as participants willing to share information as speakers or abstracts as to the operations of their various storm water related activities. Attendees are to include municipalities, cities, townships, state government agencies, consultants and vendors. There are invitees expected from Ohio, Kentucky, S.E. Indiana and Pennsylvania. It was noted, the Cleveland area storm water district may be contacting the District as they wish to contribute an abstract from the Dublin area at the conference as to their 13 years experience in storm water activities. No motion for sponsorship was made at this time as the Board members wanted to review the information and make a decision at a later time.

Deerfield Day Festival 2008: It was reported the festival was to be held on Saturday, September 13, 2008 from 12:00 p.m. to 6 p.m. A brief discussion of the Deerfield Day festival took place including scheduling of the District's booth by the Board members, CDM and WCSWCD and agreed that all times would be covered to man the booth.

Mr. Daniels agreed to attempt to have DRSWD logo shirts printed for the Board members to wear. Susan Berger said she had materials for handouts.

COMMENT FROM BOARD MEMBERS

- **Action Taken/Required:** Eric Luckage noted he was in receipt of the letter from the Auditor of State requesting verification of any contingent liability of the District and had responded to same. A copy was given to the Board for the records.

RESOLUTIONS Eric Luckage presented the following previously adopted resolutions: Resolution No. 2008-36 Approving payment of the August invoices as presented; Resolution No. 2008-37, Approving the 2008 Certification of Delinquent Storm Water Accounts to the Warren County Auditor.

EXECUTIVE SESSION

- **Action Taken/Required:** Walt Daniels motioned, seconded by Tim Greive, requesting the Board of Trustees, Eric Luckage and Chris Calpin adjourn into Executive session beginning at 9:04 p.m., to discuss imminent litigation with the District's attorney, Mr. Luckage. Roll Call Vote: Daniels: Yes; Greive; Yes, Berger: Yes.
- **Action Taken/Required:** Susan Berger motioned, seconded by Tim Greive to adjourn the Executive Session and return to regular session at 9:28 p.m. Vote: Daniels: Yes; Greive: Yes; Berger: Yes.

MOTION FOR ADJOURNMENT

- **Action Taken/Required:** Susan Berger motioned, seconded by Walt Daniels, to Adjourn at 9:29. Vote: All Yes.

Next Regular Meeting: October 14, 2008

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