

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

January 13, 2009

CALL TO ORDER

President Walter Daniels called the meeting to order at 6:40 P.M.

ATTENDANCE

Board Members:	Walt Daniels, Tim Grieve, Susan Berger
Attorney:	Eric Luckage, Esq., Albers & Albers
Engineering Consultants:	Chris Calpin, Andrew Bohlen, CDM
Members of the Public:	Jack Stauffer, Ross Horvath, Patrice Borders, Lakshman Vadlamani

APPROVAL OF MINUTES

- **Action Taken/Required:** Tim Greive motioned, seconded by Susan Berger to accept and approve the minutes from the Regular Board Meeting of December 9, 2008. Vote: All Yes.

The board agreed to table the minutes from the December 9, 2008 Special Meeting until February 10, 2009.

SPECIAL ORDERS

The Board reviewed the following revisions to the 2008 Budget, presented by Susan Berger, to make sure enough money was available in each budget category to cover the final expenditures:

1. Storm Water System Repairs/Upgrades reduced from \$300,000 to \$68,000
2. Legal increased from \$85,000 to \$95,000
3. Engineering increased from \$78,000 to \$300,000
4. Contract Office increased from \$10,000 to \$10,500

This left a projected 2009 carry-over of \$26,030.24.

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- **Action Taken/Required:** Tim Greive motioned, seconded by Walt Daniels to accept and approve the revised 2008 budget. Vote: All Yes.

Susan Berger then presented a draft of the 2009 Budget for discussion. Chris Calpin noted that the funding for Task Order 19 was not included, so the budget was revised to reflect the additional amount as follows:

Income	
Storm Water Fees	\$ 525,000.00
Bank Interest	\$ 3,000.00
Total Income	\$ 528,000.00
2008 Carryover	\$ 430,120.61
Expenses	
Administration	\$ 254,985.00
Regulatory (Phase II) Compliance	\$ 89,570.00
Planning	\$ 278,508.00
Engineering	\$ 50,257.00
Capital (Construction)	\$ 265,000.00
Total Expenses:	\$ 938,320.00
Projected 2009 Carryover	\$ 19,800.61

- **Action Taken/Required:** Tim Greive motioned, seconded by Walt Daniels to accept and approve the 2009 budget. Vote: All Yes.

REPORTS OF BOARD, AND COMMITTEES

Treasurer's Report: Ms. Berger presented the treasurer's report for year-end 2008 showing a carry-over of \$430120.61 for 2009.

Review of Monthly Invoices and Tim sheets/Expenses:

Ms. Berger presented the expenses for April as follows:

CDM Invoice TO 11 (Illicit Discharge Inspection/Detection)	1909.80
CDM Invoice TO 12 (Storm Water Modeling Phase I)	8926.00
CDM Invoice TO 13 (General District Support)	2198.08
CDM Invoice TO 14 (2008 Private Drainage Investigation)	701.65
CDM Invoice TO 15 (Greenfield Place)	8185.00
CDM Invoice TO 16 (Greenfield Place Misc. Support)	13168.17
Albers and Albers	18315.00
Mason City Schools (rental for auditorium)	229.14
Warren County Water and Sewer (for billing)	264.25
Treasurer of State of Ohio (audit)	579.76

Minuteman Press (copies)	7.80
Cincinnati Bell	35.10

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Greive to accept and pay the invoices for January 2009 as presented. Vote: All Yes.

COMMENTS FROM GENERAL PUBLIC

None.

UNFINISHED BUSINESS AND GENERAL ORDERS

CDM Update:

Task Order No. 11 – Illicit Discharge Investigation and Detection CDM delivered the Illicit Discharge Report which listed only one problem outfall. Ms. Berger will post it on the web site.

Task 12 – Storm Water Modeling CDM is looking at the data on the detention basins in Deerfield Township. Of the 126 detention basins, there is useable data on 85. CDM is analyzing what impact the incomplete data on the other 41 will have on flow rates and how necessary the data is the model. They also need historical rainfall data to calibrate the model. The best option for obtaining this information is through rain gauges. The City of Mason owns three that are located in appropriate areas. CDM will talk to Mason to see if the District can get the data needed from their gauges. The Metropolitan Sewer District also has a gauge just south of Warren County which might also be able to be utilized.

Task Order No. 14 – 2008 Private Drainage Problem Investigation Support Chris Calpin reported on CDM's investigation into flooding of roadway and yards in Chestnut Oaks subdivision as requested by Lakshman Vadlamani. The Board instructed CDM to perform preliminary hydraulic capacity calculations and evaluation to see if the storm system in the area is in compliance with Warren County regulations.

Task Order No. 15 – Greenfield Place Storm Sewer Repair Chris Calpin reported that the contract documents, technical specifications, and design drawings are 90% complete. Eric Luckage brought up the issue of easements for the project. Originally the Board discussed using the existing easements as laid out on the subdivision plat and getting temporary construction easements for areas outside of these. After investigation, Mr. Luckage suggested that the District obtain permanent easements over the existing ones with temporary construction easements, where needed, outside those areas. This would ensure the District's right to perform work on the property.

Task Order No. 16 – Greenfield Place Storm Sewer Repair Miscellaneous Support

CDM conducted field investigations in response to inquiries from property owners in the assessment areas. 20 properties were removed from the area and one was added.

Walt Daniels and Chris Calpin met with the Warren County Commissioners after sending a letter asking three questions: 1) What is the County's position on the entity responsible for operating and maintaining storm sewers located in easements outside the public right-of-way? 2) What is the desire and/or ability of the County to participate in any capacity toward the Project? 3) What is the position of the County about continuing to allow storm sewers to be constructed in easements located outside the public right-of-way without any governmental supervision and/or inspection and the need for a long-term storm sewer installation inspection and maintenance strategy? The commissioners agreed that the owner of the property is responsible for storm sewer maintenance outside the right-of-way. They believe that they can not legally perform capital improvement projects on private property, but if they could, they would assess 100% of the cost of the project back to the property owners. In response to question 3, the commissioners did agree that the County needs to hold the contracting community more responsible for private storm sewer systems perhaps with some kind of performance bond. They did discuss the possibility of forming a county-wide storm water district to address these kinds of problems in other areas of the county.

CDM has been working with Albers and Albers to compile and answer Frequently Asked Questions for the District's web site. During the field investigations, two issues came up that need to be addressed by the Board and included in this document: 1) What if the property only partially drains into the defined watershed? 2) Can senior citizens on a fixed income get special financial consideration? The board agreed to consider both questions. These questions will be added to the FAQ document which will be sent to the Board by e-mail for comments.

Patrice Borders, a resident of Greenfield Place, asked if the permanent easements the Board is considering for the project would alleviate concerns about additional assessments in the future if something failed in the same area. Eric Luckage explained that easements bear no relationship to assessments. Easements just grant rights to the grantee to do certain things within the easements. An assessment can be levied whenever a project benefits the property. Ms. Borders then asked who has the responsibility to ensure the work is done correctly. Chris Calpin explained the steps the District intends to take to oversee construction.

Task Order No. 19 – NPDES Phase II Budget Determination CDM delivered the budget report to Ms. Berger, with copies to the rest of the Board, who utilized it in creating the budget for 2009.

Regional Storm Water Collaborative:

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Susan Berger, following up on previous discussions about the Storm Center Project which would help fulfill the public education portion of the Phase II requirements, asked the Board to consider contributing \$5000 to the Project.

- **Action Taken/Required:** Susan Berger made a Motion, seconded by Tim Greive to contribute \$5000 to the Storm Center Project. Vote: All Yes.

Deerfield Township/Storm Water District Communication:

Walt Daniels, Chris Calpin, and Josh Reineke (CDM) met with Dan Evers, Deerfield Township Administrator, Larry Weis, Director of Public Works for Deerfield Township, and Tom Swope, legal counsel for Deerfield Township, in December about the impact of the proposed Schappacher Park retention ponds. They reviewed the presentation presented to the District by CDM several months ago which showed the ponds would provide some benefit but would not solve the problems the Township is looking to solve. They also discussed the modeling project CDM is conducting for the District and how that can be used by the Township.

NEW BUSINESS

Inactive Accounts and Other Administrative Tasks:

The Board discussed the need to bill inactive accounts. They also addressed the auditor's requirement that the District perform some kind of check for accuracy on the amount of the fees collected by Warren County Water and Sewer on the District's behalf.

CDM Task Orders:

Chris Calpin presented the following Task Orders for approval:

1. Amendment to Task Order 15 (Greenfield Place Storm Sewer Repair), \$9,930
 2. Task Order 17 (2009 General District Support), \$39,480
 3. Task Order 18 (2009 Private Property Investigations), \$49,960
- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Susan Berger, to accept and approve the amendment to Task Order 15 for \$9,930, Task Order 17 in the amount of \$39,480 and Task Order 18 in the amount of \$49,960. Vote: All Yes.

COMMENT FROM BOARD MEMBERS

None.

RESOLUTIONS

Eric Luckage presented the following resolutions: 2008-51, Payment of Invoices, 2008-52, Task Order 19, 2008-53, the Board contribution to the Greenfield Place Project of one half the cost up to \$200,000, 2008-54, renewal of the District's insurance policy, and 2008-55, declining terrorism coverage on the insurance policy.

MOTION FOR ADJOURNMENT

- **Action Taken/Required:** Walt Daniels made a Motion, seconded by Tim Greive, to Adjourn at 9:40 p.m. Vote: All Yes.

Next Regular Meeting: February 10, 2009

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