

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

October 6, 2009

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 Grieve, Ben Yoder
Attorney:	Eric Luckage, Esq., Albers & Albers
Engineering Consultant:	Andrew Bohlen
Administrative Assistant:	Cathy Herrick
Public Members:	Mary Ossai Charles, Dave Palopolo, Michael Quinn, Charlie Howell

SPECIAL ORDERS: In an effort to more efficiently conduct District business, President Daniels moved this agenda item to the top of the meeting and was presented at this time.

Election of Officer: With the appointment of Benjamin Yoder to the District's Board, it was necessary to hold an election of said officer of the Board by virtue of the following motion:

- **Action Taken/Required:** Walt Daniels motioned, seconded by Tim Greive to elect, Benjamin Yoder, as Secretary/Treasurer of the Board of Trustees for the Deerfield Regional Storm Water District through February 16, 2010. *Vote: All Yes.*

APPROVAL OF MINUTES

The Board reviewed the Regular Board Meeting minutes of July 14, 2009, Regular Board Meeting minutes of August 5, 2009, regular Board Meeting minutes of September 8, 2009, and the Special Meeting minutes of September 24, 2009, resulting in the following motion:

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- **Action Taken/Required:** Tim Grieve motioned, seconded by Walt Daniels to accept and approve the minutes from the Regular Board Meeting of July 14, 2009 and the Regular Board Meeting minutes of August 5, 2009 as written. *Vote: Mr. Daniels, Yes; Mr. Greive, Yes; Mr. Yoder: Abstained.*
- **Action Taken/Required:** By agreement of the Board, the Regular Board Meeting minutes of September 8, 2009 and the Special Meeting minutes of September 24, 2009, were tabled until the November 3, 2009, Regular Board meeting.

REPORTS OF BOARD, AND COMMITTEES

Treasurer's Report: Ben Yoder presented a year-to-date profit and loss report for the District. Mr. Yoder reported the net income for the period was \$93,260.31 with a current cash balance of \$523,392.82.

Review of Monthly Invoices and Tim sheets/Expenses:

Ms. Herrick then presented the expenses for September as follows:

Payment of the Expenses:

- CDM, T.O. #16, Inv. #80326165/17, \$3,330.40;
- CDM, T.O. #17, Inv. #803261163/8, \$5,293.38;
- CDM, T.O. #18, Inv. #80326162/7, \$5,635.00;
- CDM, T.O. #20, Inv. 80326112/7, \$7,580.00;
- Albers & Albers, Inv. #11239, \$5,531.50;
- Cathy Herrick, wages for September, \$573.50;
- Cathy Herrick, expense reimbursement, \$75.64;
- Cincinnati Bell, monthly voicemail/telephone, \$34.28;
- Minuteman Press, copy service, \$12.00;
- Duke Realty, Refund of overpayment on user Fees, Parcel No. 16261708, \$10,946.25.

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

SPECIAL ORDERS: This agenda item was moved forward and presented as noted above.

COMMENTS FROM GENERAL PUBLIC The following public members addressed the District Board at this time:

Mr. Charles Howell, 9286 Carriage Run Circle, Villages of Heritage Green. Mr. Howell is concerned with a retention pond within the development which is displaying large

amounts of silt, algae and weed growth. He was requesting the District consider assisting in dredging of the pond. The Board advised the purpose and limitations of the District in providing assistance. It was agreed and directed by the Board for CDM to conduct a field investigation of the pond and to report back their findings and suggested solutions.

Mr. Matt Bonzella, 2823 Ashwood Drive. A sinkhole has formed over the storm sewer line in the front of his property. Andrew Bohlen, CDM and Eric Reiners, Project Manager, Deerfield Township, conducted a field investigation of the same and discovered this problem was very close to the public right-of-away. It was not clear what the outcome would be in remedying this situation. A suggestion was made by the Board that Mr. Bonzella contact the Warren County Engineer's office prior to making any alteration to the area. The Board also suggested that CDM prepare a site investigation report for presentation to the Board and Mr. Bonzella with a potential remedy.

Ms. Mary Ossai-Charles, 9788 Summers Pond Drive. Ms. Ossai-Charles had previously addressed the Board in May, 2009, with her concern regarding a detention basin located on her property and the adjacent property located at 9820 Summers Pond Drive, whereas the basin is displaying constant deterioration and causing large maintenance expenses for her. The neighboring properties utilize the basin for storm water runoff but are not responsible for the upkeep and maintenance causing an unusual burden on one homeowner. The Board discussed the situation and made several suggestions to Ms. Ossai-Charles. Three categories were highlighted for possible solutions for improving the basin's conditions: (1) structural (2) chemical and (3) biological. In utilizing any of these suggested solutions, it was said that dredging of the basin was essential prior to their use, to remove accumulated sediment, organic matter and nutrients. Other various solutions were offered as suggestions in CDM's site investigation report. Further, the Board requested that Andrew Bohlen contact Chuck Petty, Warren County Engineer and discuss the position of Warren County and the possibility of their assistance in this matter.

Mr. Michael Quinn, 8464 Pond Ridge Drive. Mr. Quinn stated he was currently a member of the Landen CSA Board of Trustees and speaking on their behalf. He was requesting the Board to consider providing funding or additional funding to the efforts of the Landen CSA in conducting an engineering study of Simpson Creek and how it drains into the lake. Mr. Quinn also mentioned specific items which they would like to see contained in such a study, i.e., a stream monitoring program to indicate the amount of sediment being received from Simpson Creek; identifying critical areas of erosion; a stream restoration plan; and where to place sedimentation traps within the creek.

The Board suggested Mr. Quinn submit a RFA form to the District with these specifications listed. Mr. Quinn was also advised, the District is currently conducting a comprehensive study of all existing watersheds within Deerfield Township. It was suggested by the Board that CDM perform a macro view of how this system operates and

identify problem areas. It was noted, CDM is currently conducting a sediment/soil study along Simpson Creek to be included in their completed report.

UNFINISHED BUSINESS AND GENERAL ORDERS

CDM Update: Andrew Bohlen began the CDM update with a power point presentation of the situation at the Walnut Grove subdivision and particularly located at 9788 Summers Pond, property owner, Mary Ossai Charles. A complete copy of the presentation is available for review.

- **Action Taken/Required:** The Board suggested Mr. Bohlen contact Dave McElroy, Director of the Warren County Soil and Water Conservation District and Chuck Petty, Warren County Engineer to discuss this situation and report back to the Board with his findings.

Mr. Bohlen continued with another power point presentation regarding the complaint of a sinkhole forming in the Hunter's Green subdivision. A complete copy of the presentation is available for review.

Task Order No. 12 – Storm Water Modeling and System Evaluation – Phase I - Task I –Data Collection and Field Work

T.O. No. 12, Sub Task No. 4 - Draft reports have been completed and are undergoing QA/QC final review.

Task Order No. 15. – 2008 Greenfield Place Storm Sewer Replacement Eric Reiners, Project Manager, Deerfield Township informed CDM that the Greenfield Place Project has been completed. CDM recommends closing this Task Order and reallocating the funds back to the District budget.

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

As stated above, the Greenfield Place Project has been completed. CDM recommends closing this Task Order and reallocating the funds back to the District budget.

- **Action Taken/Required:** Tim Grieve motioned, seconded by Walt Daniels to close Task Order No. 15, 2008 Greenfield Place Storm Sewer Replacement Project and to also close Task Order No. 16, Greenfield Place Storm Sewer Repair, Miscellaneous Support and reallocate the funds back into the District's general fund. *Vote: All Yes.*

Task Order No. 17 – 2009 General District Support Services CDM prepared and presented a draft Task Order No. 21, Simpson Creek Erosion Characterization Study for consideration of the Board.

CDM responded to an issue associated with a commercial property storm water user account which was discovered to be miscalculated in the number of ERU's being charged and double billed. The error reportedly resulted in Duke Realty being owed \$10,946.25 in overpaid fees. Warren County Water & Sewer was notified and the information in the database was corrected.

- **Action Taken/Required:** Ben Yoder motioned, seconded by Tim Greive to refund the sum of \$10,946.25 to Duke Realty for the overpayment of storm water user fees which includes any late charges incurred. *Vote: All Yes.*
- **Action Taken/Required:** Ben Yoder motioned, seconded by Walt Daniels authorizing CDM to retroactively check all commercial storm water accounts and a sampling of all residential storm water accounts in the Warren County billing database for accuracy and utilizing funds in Task Order No. 17. *Vote: All Yes.*

CDM provided first response contact with the following public members requesting assistance: Mr. Charlie Howell, HOA president of the Villages of Heritage Green, Mr. Bob Niehaus of 7912 Crest Acres Drive, Ms. Tammy Hargrave of 6727 Sequois Court and Mr. Altbaiher of 8658 Hampton Bay Drive.

CDM submitted the Certification List to the Warren County Auditor's office indicating the delinquent storm water user accounts to be placed on the tax duplicate accounts within the Warren County database.

Task Order No. 18 – 2009 Private Drainage Problem Investigation

At the request of the Board, CDM conducted site investigations for the following locations and gave a brief report on the same:

9788 Summers Pond Drive detention basin, 4576 Woodland Drive stream sedimentation concern, the Hunter's Green Home Owner's Association sinkhole, 7774 Plantation Drive, 6538 Falling Leaves Court and 2823 Ashwood Drive.

At the request of CDM, the Board conducted a discussion regarding the current ranking system in categorizing storm water problems which are presented to the Board for consideration in providing assistance. It was agreed that possibly some new language should be utilized particularly with regard to the RFA form (Request for Assistance) and ranking of these requests. CDM agreed to review the current methods and to make suggestions to the Board for making some changes. Eric Luckage questioned whether the District should continue to rank RFA's and agreed to review the Districts current regulations regarding the ranking of requests for assistance and to also provide some suggested changes.

Task Order No. 20. – 2009 NPDES Phase II Compliance Services

Illicit Discharge Investigation – CDM prepared field maps utilizing data received from the Warren County Engineer's office to evaluate the amount of storm water infrastructure unavailable in any other format. Upon completion of field investigations, CDM plans to develop a storm sewer system map to be utilized in meeting compliance of the Phase II NPDES mandates.

CDM is preparing a new format for the SWMP (Storm Water Management Plan) in compliance with the Ohio EPA annual permit. A draft of the new format will be presented to the Board for review at the next regular Board meeting.

A complete copy of the CDM Monthly Update and supporting documents is available for review in its entirety.

Regional Storm Water Collaborative: None noted.

DFT/SWD Communications: Tim Greive reported he was planning to meet with Bill Becker, Dan Corey and Larry Weis of Deerfield Township on Thursday, October 8, 2009, to discuss various issues of the District.

Walt Daniels reported he had a recent telephone conference with Bill Becker. They were in agreement it would be more productive to have separate work sessions with the Township Trustees versus the regular work sessions conducted at the present. The Board agreed this sounded like a good idea.

NEW BUSINESS

Mr. Luckage advised he had been in contact with Tom Swope, Law Director for Deerfield Township, and they had arrived at an agreeable contract with regard to the street sweeper services to be contracted by the Township and paid for by the District. The Township is interested in conducting the sweeping during the months of November or December of all Township roads and roads maintained by the Township. This action on behalf of the District will benefit the Phase II NPDES mandates from the Ohio EPA.

- **Action Taken/Required:** Tim Greive motioned, seconded by Walt Daniels to approve the Memorandum of Understanding between the Deerfield Regional Storm Water District and Deerfield Township, in the same form as presented, to secure street sweeping services and authorizing Walt Daniels, President to sign same.
Vote: All Yes.

COMMENT FROM BOARD MEMBERS None noted.

RESOLUTIONS Eric Luckage presented the following previously adopted resolutions: Resolution No. 2009-38, Electing Tim Greive as Acting Secretary/Treasurer of the District; Resolution No. 2009-39, Approving payment of the invoices as presented; Resolution No. 2009-40, Approving and amending Resolution No. 2009-37 for the purchase of promotional items utilized at the 2009 Taste of Deerfield event in the sum of \$200.00 and approving the additional amount of \$275.00; Resolution No. 2009-41, Approving the DRSWD 2010 Preliminary Budget; Resolution No. 2009-42, Approving payment of the invoices as presented; Resolution No. 2009-43, Approving billing adjustments and authorizing CDM to prepare letters to account holders advising of same: Account #324240, Account #0324246, Account#0324238, Account #0324246, Account #0308473 and Account #0332027; Resolution No. 2009-44, Approving the list of delinquent accounts and authorizing CDM to mail notification letters to the delinquent account holders as presented with the removal of the word, “next” in the last sentence of the second paragraph of the letter to be removed prior to mailing; Resolution No. 2009-45, Authorizing Chris Calpin of CDM to send a response letter to the Ohio EPA regarding Phase II NPDES Compliance with signature on behalf of the District and on the appropriate letterhead to be determined by Mr. Calpin and Mr. Weis, Public Works Director, Deerfield Township.

MOTION FOR ADJOURNMENT

- **Action Taken/Required:** Tim Grieve motioned, seconded by Walt Daniels, to Adjourn at 9:22 p.m. *Vote: All Yes.*

Next Regular Meeting: November 3, 2009

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

Attest:

Benjamin Yoder, Secretary/Treasurer