

**DEERFIELD TOWNSHIP REGIONAL STORM WATER
SPECIAL DISTRICT BOARD MEETING
December 12, 2006**

CALL TO ORDER:

President Walt Daniels called the meeting to order at 5:35 p.m.

ATTENDANCE:

Those present at the meeting were:

Board Members:	Walt Daniels, Tim Greive, and Susan Berger
Deerfield Township:	Dan Corey
CDM:	Jamie Coleman
Attorney:	Eric Luckage
Admin. Asst.	Cathy Herrick

This Special Meeting was held to discuss the problems of easements on private property and how the DRSWD should address these situations and advise community members requesting assistance in solving these types of issues.

In particular, the Board discussed a situation which was previously presented to the Board by the residents of the Greenfield Place subdivision. Dr. Coleman gave each attendee, a visual summary of the existing problem area in the subdivision which he and Chuck Petty, Warren County Engineer, had compiled by doing a field inspection of the area. It appears there are major drainage issues and the homeowners feel they have reached a dead end in getting the situation rectified.

The Board discussed ideas of how they could assist community members and agreed a policy for doing so was greatly needed. Mr. Corey added, if the problems occur on an easement, record plats only state that an easement exists but, do not specify who is actually responsible for maintenance of said area. He also said the easements only protect each property owner from another damming up the area and causing a back up onto another's property. It has been investigated and agreed that easement areas are not the responsibility of Warren County nor Deerfield Township but, if a storm water management plan could be implemented, the DRSWD could then assist these residents at least to the extend of resolving the situation by creating detention basin inspections, mappings, and notifying the responsible parties of what needs to be done. Mr. Corey went on to say, part of the problem is that people buy properties and are not told there is a drainage easement located on their property. Then, the builders are gone and the property owner is left with a problem and has no recourse as to who is responsible or how to address the situation.

After discussing the various avenues that could be taken, it was agreed for the time being and until a formal policy is put in place, the community members should be advised to reread their own documents which they received when the property was purchased and determine whether or not they contain any information providing for this type of situation. Secondly, the residents should inquire of their respective home owners' association as to what their responsibilities are in dealing with drainage issues within the community. Mr. Corey also said, even after such a policy is created, there must be provisions made for operation and management of ponds or retention basins and would create a need for an inspector to oversee these basins. Mr. Corey noted, what seems to happen more often than not, home owners create and submit plans to the building department and then change their original plans which often cause these drainage problems. There are codes and regulations for builders as far as the structure goes but, no consideration goes toward to storm water or sewer systems and flooding issues.

Mr. Corey inquired of Mr. Luckage as to the feasibility of the storm water board creating a legal structure to enforce regulations and the creation thereof. Mr. Luckage advised that the District certainly can create the policy but was concerned as to who would enforce the policies.

Mr. Corey stated that the Landen area was getting into the "maintenance season" as the development was nearly 30 years old. He added, the Landen CSA had done a very good job at being organized and maintaining their area. With this in mind, the Board agreed that much of Deerfield Township was also at a stage whereas storm sewer systems were reaching the point where the infrastructure would be in need of maintenance and replacement or repair in many areas soon.

It was agreed that although there would be many individual situations which would be presented to the Board by community members, a standard policy was definitely needed. Eric Luckage suggested that special assessments might be a viable option to complete larger projects, particularly when the project could not otherwise be immediately funded with existing funds. Doing so would allow the property owners to share all or a portion of the costs and they would have the option of putting the costs on their property taxes. He added that special assessments will require a formal process and, frequently, they are not popular with property owners unless they sign voluntary assessments. This is a complicated process and each project is unique, but Mr. Luckage simply wanted all to be aware of the option.

Finally, Mr. Corey relayed to the Board, the Deerfield Township Trustees have expressed that they would like for the DRSWD to concentrate on the Phase II mandates and their fulfillment and make that their main priority at this time. He stressed that many of the issues which were being put before the Board, needed to be dealt with but should not be the main priority of the Board. He suggested telling the concerned community members that many different entities have a stake in resolving drainage or storm water problems, it is a county wide issue and their concerns were being heard.

Susan Berger suggested and the Board agreed, the private property issue and policy was something which needed further discussion. She said she would like to invite Dan Corey and Chuck Petty to join the Board in discussing and creating said policy at a future date.

Adjournment:

Walt Daniels made a Motion, seconded by Susan Berger, to adjourn the meeting at 6:59 P.M. Vote: All yes.

Next Regular Meeting: January 9th 2007.

The second Tuesday of every month, at 6:30 P.M., unless otherwise notified.

Attest:

Susan Berger, Secretary/Treasurer