

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

November 3, 2009

CALL TO ORDER

Vice President Tim Greive called the meeting to order at 6:35 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ATTENDANCE

President Walt Daniels was not in attendance at this meeting.

Those present at the meeting were:

Board Members:	Tim Greive, Benjamin Yoder
Attorney:	Eric Luckage, Esq., Albers & Albers
Consultant:	Andrew Bohlen, CDM
Administrative Assistant:	Cathy Herrick
Public Members:	Eric Bergesen, Susan Berger, Mike Quinn

APPROVAL OF MINUTES

The Regular Board Meeting Minutes of September 8, 2009, the Special Board Meeting Minutes of September 24, 2009, and the Regular Board Meeting Minutes of October 6, 2009, were presented for approval.

- **Action Taken/Required:** Tim Greive motioned, seconded by Ben Yoder to accept and approve the Regular Board Meeting Minutes of September 8, 2009, the Special Board Meeting Minutes of September 24, 2009, and the Regular Board Meeting Minutes of October 6, 2009, as presented. Vote: *All Yes*.

REPORTS OF BOARD, AND COMMITTEES

Treasurer's Report: Mr. Yoder reported the District's bank account reconciliation summary to-date shows a beginning balance was \$523,128.91. The total cleared balance is \$500,898.75 and an ending balance of \$501,162.00.

Deerfield Regional Storm Water District
Board of Trustees Regular Meeting, November 3, 2009

Ms. Herrick presented the expenses for October 2009 as follows:

Payment of the Expenses:

- CDM, T.O. #16, Inv. #80329118/18, \$420.00;
- CDM, T.O. #17, Inv. #80329119/9, \$4,222. 50;
- CDM, T.O. #18, Inv. #80329120/8, \$7,657.60;
- CDM, T.O. #20, Inv. #80329125/8, \$1,980.00;
- Albers & Albers, Inv. #11185, \$11,340.50;
- Cathy Herrick, wages \$666.00;
- Cathy Herrick, expense reimburse, \$54.00;
- Balestra, Harr & Scherer Consults., \$720.00;
- Warren County Water & Sewer, Inv. 09-125, \$2009.50;
- Hartsock's Awards & Engraving, Inv. #0910952, \$15.00;
- Hartsock's Awards & Engraving, Inv. #0910968, \$15.00;
- Susan Berger, Website design, \$31.25;
- Cincinnati Bell, monthly voicemail, \$34.11;

- **Action Taken/Required:** Tim Grieve motioned, seconded by Ben Yoder to accept and pay the invoices for October, 2009, as presented. Vote: All Yes.

SPECIAL ORDERS None noted.

COMMENTS FROM GENERAL PUBLIC Eric Bergeson, 6565 Clayborn Court (The Woods Subdivision) submitted a Request for Assistance form to the Board for their review. The nature of the problem was flooding caused by excessive runoff in the back of his property caused by a new development built adjacent to The Woods. The RFA was discussed and referred to Andrew Bohlen, of CDM to be further investigated.

UNFINISHED BUSINESS AND GENERAL ORDERS

Regional Storm Water Collaborative – StormCenter Program - Susan Berger, liaison on behalf of the District with the Regional Storm Water Collaborative, spoke to the Board about the status of the StormCenter project. The objective of the program is to get an environmental segment on a local news program as a regular production and provide public education. The effort is in compliance with the OEPA's mandates regarding public education. The contract for the project has been approved to be negotiated and the goal is to have everything in place by the end of 2009. After all the sponsorship monies are in place to support the start-up of the program, the next step is to solicit bids for a television station to air the program on. Also, a Content Provider's Board would need to be formed to create story programming ideas with a local theme to add interest.

The Collaborative previously submitted an application for an OEEF Grant for \$50,000.00 to aid in the StormCenter program but it was reportedly denied. They received some useful and positive feedback from the process though and are planning to resubmit another application in January 2010. Also, the Collaborative is exploring the avenue of social marketing as a tool in their public education efforts.

At the next meeting of the Regional Stormwater Collaborative, the members have been asked to inquire as to five (5) public education goals or focus areas which the various Districts are planning to accomplish in the upcoming permit year. They plan to compare lists and focus on the most common areas to assist in the Districts' achieving their goals.

DFT Reimbursement Request for Greenfield Place Stormwater Project: The Deerfield Township Trustees and the Deerfield Regional Storm Water District have coordinated a Memorandum of Agreement concerning the costs paid by Deerfield Township in association with the Greenfield Place storm sewer repair. The District had previously committed to reimburse the Township for said costs.. The Township delivered an invoice to the District in the sum of \$40,000.00 requesting reimbursement for these costs.

By Agreement of the parties, the following resolution was presented to memorialize the terms of said reimbursement and Memorandum of Agreement:

- **Action Taken/Required:** Tim Greive motioned, seconded by Ben Yoder to adopt the District's Resolution No. 2009-57 which reads as follows:
 1. That the District Board of Trustees hereby approves the Memorandum of Agreement to Reimburse Deerfield Township for Expenses Related to the Greenfield Place Storm Sewer Repair Project, attached hereto as "**Exhibit 1**", and authorizes Walter Daniels, as President of the Board, to execute the same on behalf of the District Board.
 2. That, contingent upon the approval of said Memorandum of Agreement by the Deerfield Township Board of Trustees, the District Board hereby authorizes the payment of forty thousand dollars (\$40,000.00) to Deerfield Township in accordance with the terms of said Memorandum of Agreement.
 3. That the Board hereby approves the "Then and Now" certification pertaining to such payment and attached hereto as "**Exhibit 2**", and further authorizes Benjamin Yoder, as Treasurer, to certify the same.
 4. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in

compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. Vote: *All Yes*

Due to Mr. Daniels absence, the resolution would be edited to remove his name as present.

- **Action Taken/Required:** Ben Yoder shall secure the signature of Walt Daniels on the Memorandum of Agreement and then deliver same to the Deerfield Township Trustees for endorsement. By agreement of the Board, upon return receipt of the signed Memorandum of Agreement from the Deerfield Township Trustees, a check shall then be issued.

CDM Update:

Per the Board's request, CDM presented *Task Order No. 21, The Simpson Creek Erosion Characterization Study* for their review and approval. Mr. Bohlen gave an overview of the scope of the task order and its various sub-tasks which include Sediment Accumulation Analysis, Land Erosion Analysis, Stream Erosion Analysis, Alternative Analysis, and Final Report.

Mike Quinn, 8464 Pond Ridge Drive, Landen Lake, addressed the Board. Mr. Quinn previously attended a Board meeting representing the Landen Lake HOA and requesting assistance in controlling the erosion and sedimentation problem in the area. A question of whether or not this study of Simpson Creek would aid Landen Lake in controlling the sediment was answered by CDM's proposed efforts contained in Task Order No. 21. Mr. Quinn asked specifically that the study include (1) sampling of the water in the lake to help understand the amount of sediment being received and (2) the possibility of installing a sediment trap measuring amounts entering into and exiting the lake to better understand how much is coming from Simpson Creek and then being retained. CDM agreed these concerns are being considered and a part of implementing this task order. Further discussion of the content and purpose of the task order was conducted and it was agreed to review this draft more closely prior to its approval.

Billing Assistance – Per direction of the Board, CDM has begun reviewing the Warren County storm water billing database for quality assurance purposes.

CDM also responded to two Township residents who had questions regarding billing issues.

Task Order No. 12 – Storm Water Modeling and System Evaluation – The Draft report has been completed and is now being internally reviewed.

Task Order No. 17 – 2009 General District Support Services –Per the Board’s request, CDM prepared a draft Task Order No. 21, Simpson Creek Erosion Characterization Study as presented above.

Task Order No. 18. – 2009 Private Drainage Problems Investigation Support – CDM reported on various private drainage investigations which the Board had requested follow-up or investigation of including: 9788 Summers Pond Drive and the Hunter’s Green HOA detention basins. CDM also prepared a field investigation report for 2823 Ashwood Drive per the Board’s direction.

Task Order No. 20 – 2009 NPDES Phase II Compliance Services - As previously reported, CDM is continuing efforts in updating the District’s SWMP and its format as well as, recommendations for filling any gaps in MCM (minimum control measurements)to achieve compliance as required by the OEPA. Recommendations for inclusion in the plan were made in the following six (6) areas: MCM(1) Public Education and Outreach; MCM(2) Public Participation/Involvement; MCM(3) Illicit Discharge Detention and Elimination; MCM(4) Construction Site Runoff Control; MCM(5) Post Construction Runoff Control; and MCM (6) Pollution Prevention/Good Housekeeping. With each category, several suggested activities were listed. It was also noted, CDM plans to coordinate efforts with the District’s partnering agencies, Warren County Engineer’s Office, Warren County Soil and Water Conservation District and Deerfield Township Public Works Department in considering the programs to be instituted in fulfilling each MCM.

A copy of CDM’s monthly report is available in its entirety for review.

DFT/SWD Communications: None noted.

NEW BUSINESS

Vice-President Greive asked if anyone had responded to the email received from Eric Reiners, Deerfield Township Project Manager regarding a storm water problem of which a resident had contacted him about and he had referred to the District. After brief discussion, the Board requested the following action:

- **Action Taken/Required:** Andrew Bohlen shall contact Eric Reiners, Project Manager of Deerfield Township and investigate further the email received by the District regarding a local storm water concern and report his findings back to the Board.

Warren County Soil and Water Conservation District: Mr. Greive shared information about an upcoming Planning Meeting the WCSWCD was conducting on Friday, November 20, 2009. It was noted Mr. Daniels and Mr. Yoder were planning to attend.

Balestra, Harr, & Scherer Consultants – Ben Yoder reported he had contacted Paul Rennick of Balestra, Harr, & Scherer Consultants to request a proposal of costs to provide full service accounting for the District.

- **Action Taken/Required:** Ben Yoder motioned, seconded by Tim Greive to approve the Engagement Letter between the District and Balestra, Harr, & Scherer Consultants to provide full accounting services for the remainder of 2009 and the entire year of 2010, at an estimated total cost of \$10,994.00 and further authorizing Benjamin Yoder to sign on behalf of the District board. Vote: *All Yes*

COMMENT FROM BOARD MEMBERS None reported.

RESOLUTIONS Eric Luckage presented the following previously adopted resolutions: Resolution No. 2009-46, Approving payment of monthly invoices; Resolution No. 2009-47, Authorizing certification of delinquent and unpaid District charges with the Warren County Auditor; Resolution No. 2009-48, Revoking Resolution No. 2009-18 adopted on March 31, 2009, being the Resolution of Necessity for the Greenfield Place Storm Sewer Repair Project; Resolution No. 2009-49, Approving payment to the Warren County Soil and Water Conservation District in support of Simpson Creek clean-up project; Resolution No. 2009-50, Approving the election of Benjamin Yoder as Secretary/Treasurer of the Board of Trustees for the Deerfield Regional Storm Water District through February 16, 2010; Resolution No. 2009-51, Approving payment of the monthly invoices as presented; Resolution No. 2009-52, Authorizing CDM to close T.O. #15 and 16 for the 2008 Greenfield Place Storm Sewer Replacement Project and reallocate the funds back into the District's general fund; Resolution No. 2009-53, Authorizing the refund of \$10,946.25 to Duke Realty for overpayment of storm water fees and any late charges assessed; Resolution No. 2009-54, Authorizing CDM to review all commercial storm water accounts and to review a sample of all residential storm water accounts in the Warren County billing database for accuracy and use of funds under CDM Task Order No. 17; Resolution No. 2009-55, Approving the Memorandum of Agreement to Secure Street Sweeping Expenses and authorizing Walt Daniels to execute same of behalf of the District.

MOTION FOR ADJOURNMENT

- **Action Taken/Required:** Ben Yoder motioned, seconded by Tim Greive, to Adjourn at 8:29 P.M. Vote: All Yes.

Next Regular Meeting: December 1, 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