

## MORGAN COUNTY DRAINAGE BOARD

October 4, 2004  
11:00 A.M.

DRAINAGE BOARD MEMBERS PRESENT WERE TERRY BROSS (Surveyor), NORMAN VOYLES (Commissioner), JEFF QUYLE (Commissioner), AND BRIAN GOSS (Commissioner).

### LAURAL RIDGE

Alan Deerwester was present to discuss complaints filed against him. Terry Brock stated that there are drainage issues in the subdivision. The erosion control plan shows an open swale with grass seeded in it for parcel 19 & 20. The developer put in a tile instead and it is causing damage to the property south of the tile. Mr. Brock stated that the swale would have slowed down the volume and velocity of water. Mr. Brock stated that lots 8 through 11 along the side of the road are not draining properly. Mr. Brock stated that it is not graded properly and it needs to be re-graded. There are places of standing water and cattails. Mr. Deerwester requested a continuance so he could obtain counsel. Pete Foley stated that before any complaints could be heard he would like to state that he has represented Mr. Deerwester's business entities for several years. Due to his law firm having a long-standing relationship, Mr. Foley felt a conflict of interest. Mr. Brock stated that he has been trying to resolve this situation for over a year. Jeff Quyle asked if the parties should have legal representation in a case like this. Mr. Brock replied that the Board should be represented and if the parties wanted legal representatives, they should be allowed to have that. A comment from the floor was that Mr. Deerwester has had a year to prepare for this. Jeff Quyle stated that the fact that Mr. Deerwester has known about this for some time and has not addressed it in a timely manner is a legitimate concern, but he should be allowed the opportunity to have legal counsel. Norman Voyles stated that since the Board's attorney has a conflict of interest, the Board would need time to obtain an attorney. Jeff Quyle made a motion to continue the issue to the next Drainage Board meeting on November 1<sup>st</sup>. Seconded by Brian Goss. Motion carried 3-0.

### TIMBERLAKE WOODS

Ross Drapalik of Drapalik Surveying, representing JTH Development LLC, was present to discuss the drainage plans for Timberlake Woods. He stated that this was the first development he has done under the new Drainage Ordinance and would like to use it as a learning experience. Mr. Drapalik stated that what used to be a two to three day process under the previous regulations, is now a two to three week process. Mr. Drapalik asked if formal approval must be given at a once a month Drainage Board meeting, or if the project could continue with informal approval from DLZ. Mr. Drapalik stated that the Planning Commission and Drainage Board timetables are not compatible and will cause projects to be moved back a month. A discussion of plans, timetables, and requirements followed. Mr. Brock stated that he had no problem scheduling a special meeting to approve the drainage plan so the Planning Commission can then approve the plat in a timely manner. Mr. Drapalik stated that they would like to start some earth moving activities this fall and requested a special Drainage Board meeting be held if he receives approval from the Planning Commission. Jeff Quyle made a motion to table the request. Seconded by Brian Goss. Motion carried 3-0.

### MINUTES

Jeff Quyle made a motion to approve the July 19, 2004, August 2, 2004, and August 16, 2004 minutes. Seconded by Brian Gross. Motion carried 3-0.

### ADJOURNMENT

Jeff Quyle made a motion to adjourn. Seconded by Brian Goss. Motion carried 3-0.

#### MORGAN COUNTY DRAINAGE BOARD

Terry Brock  
Terry Brock, Surveyor

Norman Voyles  
Norman Voyles, Commissioner

Brian Goss  
Brian Goss, Commissioner

Jeff Quyle  
Jeff Quyle, Commissioner

ATTEST:

Mac Cooper  
Mac Cooper, Auditor