

Friendsville Board of Commissioners  
Regular Meeting  
June 5, 2025  
Friendsville City Hall  
**Minutes**

**Present:**

|                                  |                   |
|----------------------------------|-------------------|
| Mayor Steven Cardwell            | Jim Kirksey       |
| Commissioner Margaret Maze       | Andrew Elgersma   |
| Commissioner Shane Rogers        | Dan Strayn        |
| Commissioner Jonathan Newberry   | Roz Strayn        |
| City Recorder Janet Ledbetter    | Charlie Carpenter |
| City Administrator Kim Rogers    | William Taylor    |
| City Attorney Rob Goddard        | Scott Reagan      |
| City Engineer Bob Colvin         | Sergio Rios       |
| Building Official Barry Ottinger | Shelley Rios      |
| Caitlyn Good                     | Dale Wilkins      |
| Steve Palmer                     | Joseph Maus       |
| Kresha Fields                    | Jason Nagorny     |
| Earl Fields                      | Teresa Thompson   |
| Cameron Day                      | Wayne Dockery     |
| Dana Bentz                       | Pam Hood          |
| Debbie Bentz                     | Steve Blankenship |

**Absent:** Vice Mayor Sandra Bell

1. Meeting was called to order at 6:00 p.m.
2. Pastor Drew Elgersma from Friendsville First Baptist Church led the invocation.
3. Mayor Cardwell led the Pledge of Allegiance
4. Roll Call: Mayor Cardwell, present; Commissioner Maze, present; Vice Mayor Bell, absent; Commissioner Rogers, present; Commissioner Newberry, present.

5. Motion to approve minutes from the previous meeting by Commissioner Rogers, second by Commissioner Newberry. Motion passed.

At this point in the meeting, it was realized that the Public Hearing on the budget ordinance had been skipped. Motion to adjourn by Commissioner Rogers, second by Commissioner Newberry. Motion passed. Meeting was adjourned at 6:03 p.m. After the Public Hearing, the meeting was reconvened at 6:08 p.m.

6. Discussion:

Second reading of Ordinance No. 2025-02: FY 2025-2026 Budget: Motion to approve on second reading by Commissioner Newberry, second by Commissioner Rogers. Motion passed.

Resolution No. 2025-01: Authorizing the Issue of Interest Acquisition for Capital Outlay: This was for the purchase of a new tractor and long arm. Motion to approve by Commissioner Newberry, second by Commissioner Rogers. Motion passed.

Resolution No. 2025-02: Governing Public Comment Protocol for Meeting Agendas: This resolution was recommended by MTAS. Motion to approve by Commissioner Rogers, second by Commissioner Newberry. Motion passed.

Sealing City Hall parking lot: Foothills Asphalt will be sealing the parking lot so the City Hall will have to be closed the day they do the work. Kim Rogers said that they told her they would try to give the city a couple of days' notice before so she could notify the public.

7. Tabled Discussion: N/A

8. Public comment of on the agenda items:

Shelley Rios, 706 Kiser Station Rd., asked why the new policy was passed regarding public comment only on agenda items. She said that during previous meetings the public was allowed to comment on anything they wished to speak about. She said she felt like this was passed to prevent anyone from speaking about the behavioral health center during the current meeting and asked how anyone would be able to speak about something not on the agenda. She claimed the agenda was not posted before the 48-hour time limit, and Kim Rogers began to tell her it was posted on time but was cut

off by Mayor Cardwell. He told Mrs. Rios that the reason this was changed was to give the board a chance to find out what the person wanted to speak about and research the issue in order to try to have an answer to any questions asked. Commissioner Newberry also told her that the board was trying to be transparent, and also in compliance with the law. He said he spent a lot of time taking and returning phone calls from constituents about issues that they had asked him about. Sergio Rios, 706 Kiser Station Rd., asked Mayor Cardwell how he would know what the people wanted to talk about if they were only allowed to discuss items on the agenda. Shelley Rios said that it was hard to get anyone on the phone, and that she had recently tried multiple times and no one answered. Janet Ledbetter told her that there had been issues with the City Hall phones, and Mrs. Rios told her that wasn't an excuse, and that the city was telling citizens that they couldn't speak. Kim Rogers told her that the policy would be posted on the website, along with a form and instructions to fill it out. The deadline to request being put on the agenda would be 12 noon the day of the meeting. Mrs. Rios stated that this was fair. This was advised by MTAS in order for the city to get control of their meetings. Mrs. Rios told the board that Blount County Commission allows non-agenda items to be discussed by the public. Commissioner Newberry stated that he knew why everyone was at the meeting, and that it was because of the anticipated Behavioral Health Center. He said that they hadn't presented a plan, and also that the city couldn't ban the facility by state law. He said if citizens wanted to have certain businesses banned, they would have to go to the state legislature and have the law changed, but that could also affect their rights to use their own property as they wished. Commissioner Newberry also spoke about zoning, in that there has to be at least one zone that any business or property use is allowed. The property in question was zoned for hospitals when the owner purchased the property. Mrs. Rios told him that when they purchased their property, it was zoned for multi-residential, and that it was changed 2 weeks after they bought it. Commissioner Newberry said that for example, if someone wanted to open a porn store or a mental hospital the city would have to provide a zone where it would be allowed. He said if there's nothing in the zoning mentioning a particular type of business, such as crypto mining, the business could purchase a particular property and argue why it should be allowed on that property. Sergio Rios told him that they had purchased property along the highway that was zoned for multi-family housing and then two weeks later the city banned multi-family housing in that zone.

Kim Rogers told them that the previous administration had changed that, and that the city has records of what was allowed when the property was purchased. The Rios' wanted to know if it could be changed. Commissioner Newberry said he couldn't give them an answer. Shelley Rios said that property owners don't have vested rights until they submit plans. She told Rob Goddard that he should have known that and that he didn't seem to want to defend the city. He told her that they can't exclude any purpose from the entire city, but that they can put it into a certain zone. He said that she might be right about the vested rights but that he didn't know for sure. She replied that he should know about it. Sergio Rios said that Mr. Goddard represented the citizens, and that he should be helping them. Rob Goddard said that he represented the Board of Commissioners, not the citizens, but he agreed that the Board represented the citizens. Mrs. Rios said that she had worked on arguments against this facility, and had given it to the Planning Commission, and that no one did anything. Commissioner Newberry told her that they have been and still are actively working on zoning.

Daniel Strayn, 4609 Big Springs Rd., asked where the property was that was being discussed. It is at Marble Hill Rd. and Highway 321, next to Hickory Valley Baptist Church. He also asked what safety factor was weighed in to this because he claimed it would be a behavioral health/prison. Commissioner Newberry said it was presented as a behavioral health center, but he felt if you weren't allowed to leave that it seemed more like a prison. Mr. Strayn asked if it was like Helen Ross McNabb, and Commissioner Newberry said he didn't know because he wasn't familiar with that facility. Mr. Strayn said that he used to live near the facility, and the patients there were free to come and go. He used to live in a neighborhood nearby and one of them had broken into his neighbor's home and stole his car keys and his car.

Cameron Day, 1014 Wilderness Rd., claimed that it was a medical detention facility, and that if someone commits a crime and is deemed incompetent to stand trial, they go to a facility like this. Some of them improve and are able to get out, but some of them are never able to get out. He said it was like a prison, but it is actually a hospital because there are no prisons for insane children.

Kim Rogers said she had received an email from a citizen who wanted to know about Acadia. She had then emailed Adam from the company, and he told her that the children voluntarily go into the hospital themselves and are free to leave, and they are at the stage before they commit any crimes. She

said that's what she had been told but she had also requested a public meeting for the company to discuss their plans with citizens. Daniel Strayn said he had just purchased property in that area and wanted to know what the facility would do to property values. Commissioner Newberry told everyone that the board still didn't know everything about their plans, but that it would be extremely expensive for the company since they would have to upgrade the utility infrastructure to meet the needs of the facility. Mr. Strayn asked if any plans were submitted to the city's planner. Mayor Cardwell said that only preliminary engineering and elevation drawings were submitted to find out what infrastructure would be required. Steve Palmer, 104 Buena Vista Ln., told the group that in his opinion, the board wasn't in favor the project, but there was only so much they could do to stop it. Mr. Strayn said he didn't assume that they were, that he was just asking questions. Pam Hood, 816 N. Union Grove., said she owns a farm just across the border into Loudon County, where she likes to walk. She told the board that even if the city hires ten million cops that they can't protect her in Loudon County. She said the Lenoir City Chief of Police didn't know anything about it, and he told her that after talking to Sheriff Berrong in Blount County, he spoke to the Loudon County Sheriff, whose office is in Loudon. She said they all agreed that it was no place for that type of facility. Commissioner Newberry told her that his family had been in Friendsville for generations, and that he didn't want to see it there either, but that the city had to follow the rules of the state. If the city had regulations the company had to follow, they would enforce them. Commissioner Newberry mentioned that there was no water serving the property at all. Sergio Rios told him that for rich people that wouldn't be a problem. Commissioner Newberry said that if you add enough hurdles together, it makes a place less attractive. Mr. Rios said that they weren't against anyone at the city, but they had invested a lot of time and money in their properties and their business, and he felt like it was everyone's responsibility to protect the town. Commissioner Newberry said he had \$7500 worth of security cameras and that he didn't want any more crime himself. Shelly Rios reiterated that once a preliminary design is submitted, that's when vested rights happen. Kim Rogers said that the city found a reason that could stop them, which is with the water line. The city cannot produce the water pressure they require for fire protection, which is 1600 gallons per minute. They would be required to put in a line all the way to the highest tank, which would cost \$7.2 million dollars.

Pam Hood said that she didn't have anything against the commissioners, but that the citizens were like a little Chihuahua, and asked if they shouldn't bring in some Great Danes to help. Commissioner Newberry told her that he had been to several multi-day conferences regarding property rights since 2012. He said the best thing they could do is go petition the state to get the laws changed. She asked him if Blount County could do anything, and he said no, that Friendsville and Blount County were both created by the state, and that Blount County has no control of anything in Friendsville except law enforcement type situations. Shelley Rios asked why the city can't make its own laws, and Commissioner Newberry told her they can, but they can't break state law doing so. He told her to focus her energy toward the state if she wanted the laws changed. She told him that the zoning needed to be changed, and he replied that they have to provide a piece of property for any business that wants to build in the city, but that the issue has tied up many attorneys in court. He said he had been to conferences and listened to the experts regarding the issue. He said she was welcome to knock on his door and continue the conversation another day but that he was done.

Dana Bentz, 137 Hamil Rd., who is the Pastor at Bible Methodist Church, asked for clarification of the claim that no plans had been submitted, but he said that at last month's meeting they were debating about having a 6" water line and wanting a 12" water line. He said someone said that they had given them the proposal about what needs to be done. Commissioner Newberry told him that it was a preliminary engineering report, and they had asked about the water line, and the city didn't have the capacity to support what they required. Mr. Bentz referred to a discussion between Vice Mayor Bell and Mayor Cardwell in which Vice Mayor Bell wasn't happy about going from a 6" to a 12" line to feed the property and Mayor Cardwell told her "Don't get hung up on the size of the water line, because this is going to benefit the city." Commissioner Newberry told him it was taken out of context. He said that if they increased the size of the water lines, it would be a benefit to the city, but that they didn't want it. Mayor Cardwell said "Do we want a mental health hospital just because of a water line? Absolutely not!" Someone asked that if Acadia decided to foot the bill for the infrastructure upgrades to feed their facility, would the board decide to vote no, and Mayor Cardwell told him that they would have the chance to vote on it, but if the company had met all the requirements and the city didn't have a way to stop them, that the upgrade would benefit the city. Commissioner Newberry spoke about last summer,

when it was hard to keep the tanks above 10% capacity, so he didn't think the tanks were big enough. Mayor Cardwell said he didn't agree with the hospital going in, but he did agree the upgrades would benefit the city.

Cameron Day discussed making the company follow requirements. He said the safety of the children should be the number one concern, as well as the safety of the community. He told the board to make them provide enough water for an 8-hour firefight with 1600 gal/min with 10% left in the tank and not allow them to put in a private tank that could be struck by lightning and disabled. He suggested making them pay for increased fire and police. Commissioner Newberry told him that they were on the same page, and that there would be hurdles the company would have to cross before they could build. Mr. Day said that any type of residential facility, such as nursing homes, should require the same things. Barry Ottinger told him that the city followed the 2018 IBC, and that the State of Tennessee would do the permits and inspections on all life safety issues. The city would only do permits and inspections on general plumbing, general heat & air, and the landscaping and outside of the building. Barry said the only plans they have received were the elevations. Mayor Cardwell said the city has requested a town hall meeting with Acadia to inform the public.

Someone mentioned the parkway (Highway 321) being a state highway and said that the state overrides the city and asked how far the right-of-way was. She mentioned the sign regulations and that they weren't always monitored, and said that if they didn't monitor those, they wouldn't monitor this facility either. Commissioner Newberry told her that the state would only control the driveway connection, unless the driveway comes off of Marble Hill. Mayor Cardwell said they would demand a meeting with Acadia, and that it would be in a larger place. Someone from Hickory Valley Church said that they were concerned because they had a large children's ministry. Pam Hood said that lives would be put in jeopardy and the city couldn't protect them because they didn't have jurisdiction. She asked if they would be able to sue the city if anything happened to them, and Mayor Cardwell said that was a legal question. Shelley Rios asked how information would be disseminated. She wanted them to give them a couple of weeks before the meeting so people could plan to attend. Mayor Cardwell said that they planned to do so, and that they had information on the website that they would update as soon as anything changed. Kim Rogers told everyone that the commissioners had not been in contact with Arcadia, only she had. She presented a sheet with

the dates and what they had discussed. She said she had been in contact with Crunk Engineering about the water issue. They had performed 3 pressure checks and there was not enough water pressure at any time. There was a discussion about the water issue. Cameron Day advised not allowing private water supplies either. He said that he had been a firefighter, and that those usually failed during a fire.

A citizen asked how many acres the company purchased, and someone else said 27 acres. Earl Fields, 414 S. Farnum St., apologized for not being more involved in civic duties. He said he appreciated the board for listening to the citizens' concerns and said he would try to be at more of the meetings and would be praying for them. Sergio Rios asked about the tax benefit of the proposed facility, and the Mayor and Commissioner Newberry said there would probably be none, since there isn't a property tax. Another citizen said that the biggest issue was lack of law enforcement, and that this should be relayed to them. Commissioner Newberry said the city can't afford the law enforcement, fire protection, or the water service needed for the project. Cameron Day stated that if there is an assault inside the facility, the paramedics will not go inside until law enforcement deems it safe, so that could delay needed care. Commissioner Newberry said that he didn't think anything could be accomplished during the current meeting, and that there were other items to discuss so they needed to move on. Steve Palmer mentioned Village Behavioral Health in Louisville and the issues with lack of law enforcement there. Kim Rogers told him that was the facility the company wanted to move to Friendsville.

Another citizen asked the mayor to invite Loudon County Sheriff's Dept., Lenoir City Police, and Blount County Sheriff's Dept. to the public meeting with Acadia. Mayor Cardwell said he would extend an invite. He told everyone that they would put information on the website, and that there is a new text system for citizens to get information once they sign up on the website.

#### 9. Staff Reports:

Codes: Barry Ottinger mentioned the application for the laundromat, and the issue with the people living in their car at Friendsville Market.

Planning: The May meeting was held to discuss zoning. They planned to put a restriction on crypto mining and adult entertainment stores, allowing those in the M1 zone only. They also discussed a noise restriction, which would affect crypto mining. Someone asked about rezoning things to



restricted areas, and Commissioner Newberry said it was mainly adding types of businesses to certain areas only to keep them out of the other zones. When asked about a timetable, he said once the ordinance was typed up, it would take two months to pass, and that changes could be made incrementally. Kim Rogers mentioned how the definitions on the zoning ordinance were vague. She said that the city is on their second planner since this started, and there is a totally new Planning Commission since the previous members resigned. The previous planner was not doing what he needed to do and gave the city wrong information. The city is working with their new planner, Jordan Rockwell, to do everything correctly. Commissioner Newberry mentioned that they didn't know everything, and that they couldn't predict what hadn't happened. Mayor Cardwell said that Kim Rogers was trying to make everything transparent regarding this issue.

Streets: The culvert at North Morgan near Miser Station needs repairs, and repairs are needed on Lane Drive. Bob Colvin told Kim to make sure the North Morgan repairs are finished before the sidewalks are installed. The potholes that were repaired have come out due to heavy rain, and they will be fixed again. Kim said she talked to Jill Pugh, the Mayor of Louisville, about possibly using their long arm to mow until the new tractor is delivered, which should take about two months. If not, then the city will have to bid out mowing.

Grants: LPRF is in the design phase, and there is extra money so it could possibly include bathrooms. HUD sidewalk bids were opened the afternoon before the meeting. The lowest bid was \$986,076.55 from Nitzschke Communications, Inc, which is the same company working on the downtown water & sewer project. Bob Colvin recommended accepting this bid, as he said that it would leave \$211,923.45 for sidewalk improvements, particularly where sidewalks interfere with drainage. Mayor Cardwell said that in his experience, Nitzschke was really good to work with. Bob Colvin said the board could vote to accept the bid, but they couldn't give the company notice to proceed until the paperwork is turned in and the money is in place. Motion to award the bid to Nitzschke Communications by Commissioner Rogers, second by Commissioner Newberry. Motion passed. SSA-4 grant for \$86,000 was approved and they will be sending out contracts to sign. This is for drainage and paving. Part of the ARPA funds that are in the bank will go for the LPRF match, and the other part can go toward paving the parking lot below the pavilion site. The paving will go out to bid.

Administration: Lance Coleman, from Blount County Emergency Management, spoke about updating the Hazard Mitigation Plan. They had been working on the plan for both the county and all the cities within the county to determine what the hazards were and what projects they needed to work on to mitigate the hazards. Wildfire, winds, tornadoes, flooding and winter storms were the biggest hazards for all the areas. This plan, once approved, allows the county and cities to receive grant funding to help mitigate these hazards. He said that he and Mayor Cardwell, whose full-time job is with the county's emergency management, are working to get portable generators for the city's pump stations. Motion to adopt the 2025 Hazard Mitigation Plan by Commissioner Rogers, second by Commissioner Maze. Motion passed.

Kim Rogers mentioned that David Holp, of Holp Construction, wanted to help the city build a bathroom at the playground. He had offered to lead the project and to contribute the first \$15,000. He is reaching out to local businesses for donations of materials. His business is in the community, so he wants to help.

Financial Updates: The Board looked over the financial report.

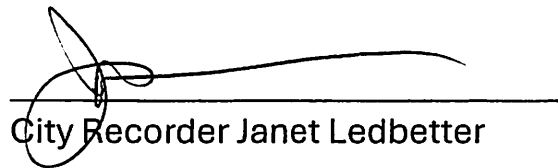
Events: none

Parks & Recreation: The ball games were over, and the 6 games that were scheduled for the year were played on two Saturdays because of the rain. Kim Rogers said that parents were asking for more sports to be available, and there is a lot of interest in soccer so she asked if anyone would be willing to head up a soccer program.

10. Motion to adjourn by Commissioner Rogers, second by Commissioner Newberry. Motion passed. Meeting was adjourned at 7:42 p.m.



Mayor Steven Cardwell



City Recorder Janet Ledbetter