

**Friendsville Utility Board  
Regular Meeting  
January 4, 2024  
Friendsville City Hall  
Minutes**

**Present:**

Mayor Steven Cardwell	Vince Jarnagin
Commissioner Margaret Maze	Carmen Miller
Commissioner Shane Rogers	Kenneth Miller
Commissioner Jonathan Newberry	Tyge O'Callaghan
City Recorder Janet Ledbetter	Trevis Gardner
Executive Assistant Kim Rogers	Janet Walton
City Attorney Rob Goddard	Jason Nagorny
David Ledbetter	Shelly Rios
Brandon Lamb	Sergio Rios

**Absent:** Vice Mayor Sandra Bell

1. Meeting was called to order at 6:19 p.m.
2. Motion to approve minutes from the previous meeting by Commissioner Rogers, second by Commissioner Maze. Motion passed.
3. Public input not on agenda: none
4. Other business not on agenda: none
5. Discussion: Fox Creek subdivision issue with water line under street:  
The issue involved the water line, which was installed beside a gravel road. The road (a private road) was paved and widened over the line, so when there was a leak repair, the water crew had to cut through the road. The homeowners in that area insisted that the city pave the road, but the city's insurance company said the city wasn't responsible. Vince Jarnagin, from 3727 Fox Creek Road, spoke on behalf of the homeowners. He said the subdivision was built in 1990 and in 2004 it was paved. He said they followed the plat and stayed outside of the easement of the water line, and that they

didn't widen the road. He said there was a water main leak in 2015 in about the same area, and according to everyone who lives there, the line is 2-3 feet from the road, and only goes under the pavement where the road splits in a y near the entrance. Mayor Cardwell wanted to know where the easement was according to the original deeds, but he said the easement was 15 ft based on his research. He said the city wouldn't have dug up a road to put in a water line and said the city couldn't find any record showing that it was the city's responsibility. He also told Mr. Jarnagin that they would possibly need to do surveys and get lawyers involved to solve the problem. Mr. Jarnagin said that he didn't want it to go that far. The city had an estimate for \$11,700 for the paving costs. Mayor Cardwell said the city could put a master meter at the end of the road and the HOA could take over the water line if they wanted to do so. Mr. Jarnagin said he would go back to the other homeowners and discuss the issue with them.

Operations report: Water loss was 38%.

Financial report: Janet Ledbetter presented the Budget to Actuals.

6. Motion to adjourn by Commissioner Rogers, second by Commissioner Newberry. Motion passed. Meeting was adjourned at 6:32 p.m.

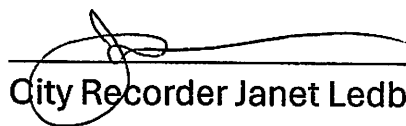
**Meeting was reopened at 6:47 p.m.**

Mr. Jarnagin mentioned that originally the city had offered to put cold patch on the road, but the HOA wouldn't agree with it. He asked if the city would still do so, and then the HOA could pave it in the spring. Mayor Cardwell told him that the city would have patched it anyway, that they wouldn't have just left the rock. Mayor Cardwell said he would agree to do that if the HOA would sign a letter releasing the city from any more claims on the project. He recommended that the board vote to do so based on Mr. Jarnagin's call back to Kim after he spoke to the rest of the homeowners. Motion to put in cold patch and have the HOA release the city from further work on the project by Commissioner Rogers, second by Commissioner Newberry. Motion passed.

Motion to adjourn by Commissioner Rogers, second by Commissioner Maze. Motion passed. Meeting was adjourned at 6:52 p.m.



Mayor Steven Cardwell



City Recorder Janet Ledbetter