

From: Anita Tell [Anita@nationalcustomhomes.net] on behalf of Rick Pfendler [Rick@nationalcustomhomes.net]
Sent: Tuesday, August 07, 2012 1:41 PM
To: Kenneth C. Hill
Subject: FW: Stonebridge on Douglas Lake, Dandridge, TN
Attachments: 3-06-12 Sorrells Explanation.pdf

Dear Mr. Hill,

I am resending the letter I sent you on March 12, 2012. Please approve our request for the next Phase II of Stonebridge on Douglas Lake.

Thank you.

Richard R. Pfendler - (LOT 61 Stonebridge on Douglas Lake)

National Custom Homes IV, Inc.

1181 S. Rogers Circle #31

Boca Raton, FL 33487

(561) 988-1267

(561) 988-1269 Fax

(561) 239-0231 RICK's CELL

(561) 239-3348 SCOTT's CELL

(561) 350-2558 GARY'S CELL

PLEASE: CONFIRM RECEIPT OF THIS E-MAIL - THANK YOU

From: Anita Tell **On Behalf Of** Rick Pfendler
Sent: Monday, March 12, 2012 3:51 PM
To: 'kenneth.c.hill@tn.gov'
Subject: Stonebridge on Douglas Lake, Dandridge, TN

DATE: March 9, 2012

TO: Kenneth C. Hill, Director, State of Tennessee

FROM: Richard R. Pfendler

RE: Stonebridge on Douglas Lake – Dandridge, TN

Dear Director Hill,

I am a custom home builder and developer in South Florida for the last 46 years. I am also one of the 6 home owners who have actually completed a home in the Stonebridge development of which we have all invested well over a million dollars in our properties and homes.

We the homeowners, especially Michael Sorrells on Lot 22, Louise and Dave Gale on Lot 83 and myself on Lot 61 have spent countless hours and time from our businesses for the last three years to correct a problem that really is not our fault.

1. The developer Chip Leonard of Southeastern Development LLC. and Sam Pinner, the Realtor, who was his partner at the time, never finished the water and sewers, the roads or club house.
2. Jefferson County let the sale of the property's 107 lots be sold without a final Plat approval from all Agencies.
3. Jefferson County let the \$450,000. (+/-) bond expire and never made the developer renew the water and sewer bonds
4. Jefferson County never inspected the water and sewer nor the paving and drainage.
5. No one from Jefferson County and the Agencies in Tennessee has done anything about the fraudulent sale of this project.
6. We had to protect our investment and spend three years to try and get a sewer system approved – through all the Tennessee bureaucracy.
7. TDEC has fought us tooth and nail turning down everything we submitted.

There is something that really smells in this whole thing! People in Jefferson County and TDEC are covering for each other.

I could go on and on – but the point is:

We are PLEADING for your help to let Aqua Green collect the remaining sewer tap fees so we can complete the rest of the 56 units.

Our Homeowners Association has collected assessments of \$4,250.00 from 50 lot owners to complete the plant that will service 50 units.

Ladies and Gentlemen, our backs are now to the wall and going to the best attorneys in the area is not what we want to do – there will be a lot of people exposed from the past 3-4 years.

I am enclosing correspondence from Michael Sorrells and Gina Butler that will shed more light on this subject.

Please help us protect our investment at Stonebridge. This problem was not brought on by any of the lot owners.

Please have TDEC cut us some slack. Dart Kendall is a very reputable contractor. We had interviewed several companies before selecting Aqua-Green.

Thank you in advance for your help.

Very truly yours,

NATIONAL CUSTOM HOMES IV, INC.

Richard R. Pfendler

Richard R. Pfendler – Tele: 561-239-0231

Lot 61 Stonebridge

CC: Michael Sorrells – Lot 22 – Tele: 828-506-2174

Louise Gale – Lot 83 – Tele: 868-397-8809

Gina Butler, HOA Manager – Tele: 615-215-1212

Dart Kendal – Aqua Green – Tele: 404-557-3170

James Wheeler, Esq., Broad & Cassel Attorneys at Law

TN

Anita Tell

From: Michael Sorrells <sorrells@cbvnl.com>
Sent: Thursday, March 08, 2012 11:32 AM
To: Rick Pfendler
Subject: Fw: Stone Bridge

----- Original Message -----

From: Michael Sorrells
To: Paul.Estill.Davis@tn.gov
Sent: Thursday, March 08, 2012 9:41 AM
Subject: Stone Bridge

I'm sending you this in great distress after hearing your dept does not agree with our soil report for 115 Tranquility trail. This is the 3rd soil report either changed or rejected by your dept. You know I have been involved in this from the beginning. I have heard 1st hand from you and your staff that everyone is trying to resolve the issue. Well it only seems as if Mr Kendall and the HOA is the only ones trying to resolve this issue.

We have presented 3 options that were backed up with data that would have put this mess to rest. It now appears all 3 will be rejected. It is very distressing when a gov't entity says one thing and does not back that up. I have had written assurances from TDEC along with conversations also that would have led us to believe we had workable solutions only to be denied.

Mr Kendall and the HOA have made every effort to resolve this. The property owners are the ones being screwed no one else. All checks and balances that should have been in place by the state and local gov't to prevent this from happening failed us.

We are in the position of having no other alternative. We have put a plan together to resolve this but we have to have some help from TDEC as well to make it work. All property that is available has been thrown out by TDEC. We have spent all we have for soil reports and engineering reports that show positive data to finish this but we continue to be rejected.

We have retirees on fixed income along with people who have lost their jobs and people who have come down with serious health problems. Everyone is trying to hold on to their investment. We do not have the option of collecting more money. We have established an agreed amount each lot owner would have to pay to finish this. It was based on an additional \$100,000 to purchase property along with the amount to finish the system.

Without your approval of 1 of the 3 options we will be forced to only complete the system for the 50 permits we have leaving 56 owners without the ability to have sewer leaving their investments worthless. It will be 1st come 1st serve. That was never my intention as both Aquagreen and I have worked for a solution that would include all people not just a few.

I don't know what else to do? I'm out of options, money and energy. We have exhausted everything we know to do. Without TDEC's help this will never happen. It appears that TDEC has no desire to see this completed. I hope that is not the case but for all I've seen so far that is it.

Michael Sorrells

From: Michael Sorrells
Sent: Monday, March 05, 2012 5:01 PM
Subject: Stone Bridge contract

After it became apparent that there was a real possibility that the developer was not going to pay to finish the sewer a group of property owners along with me began to discuss ways to complete the system to protect our investments.

Along with considering filing lawsuits we approached Aquagreen and Advanced Septic about the possibility of entering into an agreement with the HOA to complete the work.

At that time Mr. Kendall shared with us the existing contract with the developer and said he would honor the terms with us. He also recommended we look at some other systems as well as the system he proposed for Stone Bridge. We toured his system at the Peninsulas as well as others in the area installed by other utility contractors. We found his system to be far superior to any we viewed and made the decision we wanted what he had proposed for the development.

In August 2011 we accompanied Mr. Kendall to the TRA meeting when he requested Stone Bridge be added to his utility so he could provide sewer to us. We supported that at that meeting and your records will reflect that.

Once he started and reached the point where he was getting no response from the developer and all efforts to reach him was futile we again approached Mr. Kendall about contracting with us to complete the sewer.

I spent much time with Mr. Kendall discussing how we could go about this. There were three major problems. One was getting enough money collected to complete the system for all 106 owners as quickly as possible so to allow owners the ability to sell or build. Two, the need to purchase additional property to add 56 more permits to the 50 we have on the SOP for the subdivision and the third was the amount already invested in the system by Advanced Septic that would have to be addressed either before continuing work or collected at the end of the completion.

After much discussion we decided to enter into an agreement with Advanced Septic to build the system. The cost would be the same and we would need to add additional cost to the amount to purchase property to finish the system. The agreement is on file with the TRA. We did have a concern as to how to protect the property owners who would pay in advance to get the system completed. We wanted to make sure everyone paid their fair share and would not have to be required to pay more at the end if someone did not pay.

We suggested at completion Aquagreen not allow anyone to hook up unless paid. Mr. Kendall made it clear he would have to seek approval from the TRA for this to happen. After he talked to your staff who suggested tap fees' we finalized the agreement and sent it to TRA for approval.

What we thought would be a formality to allow us to put this nightmare behind us and move forward ended up in left field at the hearing on Feb 27th. It appears the directors saw this request as some sinister move by Mr. Kendall against the property owners. When in fact we initiated this agreement and Mr. Kendall was only following the rules he must abide by. I'm dumbfounded as to why this was not approved. If anyone had been looking out for our interests we would not be in front of The TRA. We property owners thru this entire nightmare are the only ones who have had our best interests at heart. It is a little late in the game to appear as if some gov't entity is trying to protect us when in fact it is local and state gov't that has failed us along with the developer!

We also fronted Advanced Septic \$30000 to finish the completion of the tanks and outside plumbing to protect the work already completed from inclement weather and the winter. This work has been completed. If the agreement is approved then this money would have been returned to the HOA after a certain benchmark of collections had been reached. If the agreement is not approved then this money will not be returned until we have collected all 106 fees and this is probably slim to none.

If the agreement is approved so Aquagreen can collect tap fees we have a very good chance in completing the entire subdivision and anyone who pays will have the ability to have sewer. If it is not approved the chances of finishing the system for all 106 is very slim if not at all. It stands a good chance of people losing their entire investments. Without the agreement we hopefully would collect enough to get the plant built for the 50 permits the SOP calls for. After that it could take a long time to collect if ever the remaining 56 that would be required to buy property and expand the plant to provide sewer to all lots.

Michael Sorrells

Lot 22 Stone Bridge

From: Gina Butler [mailto:gina@butlermgmt.com]
Sent: Tuesday, March 06, 2012 5:02 PM
To: Rick Pfendler; Anita Tell
Subject: FW: Stonebridge TRA

We are going to collect and finish phase 1 (50 lots), regardless. Right now, we have only 20 of the 50 permits available as 30 owners have paid. That will not change.

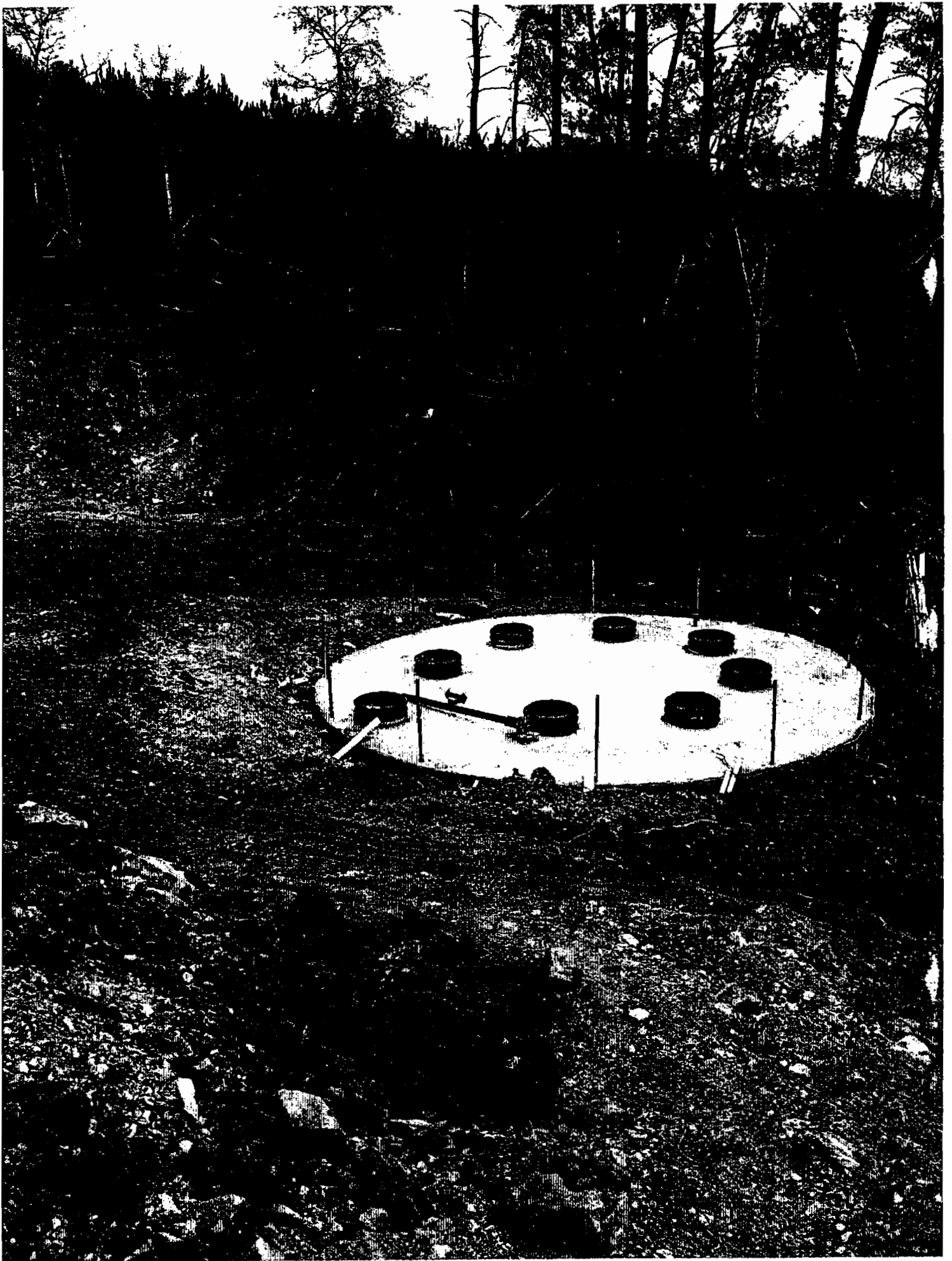
If TRA approves the \$4250 as a tap, Dart will buy the property for phase II. If TRA does not approve the \$4250 as a tap, the association will call it a sewer connect fee and we will proceed with phase I. This mainly affects those that do not pay now. There may not be a phase II, depending on the timeframe that it takes to collect the remainder, and if and when another piece of property can be found. You will get a certificate for tap from Aquagreen as soon as we send the funds, and this certificate will run with the land and are transferrable. The funds will be forwarded to Aquagreen as when we have filled the first 50 permits (which should be within the next 2 weeks.. This list of owners will also be sent to the county so that building plans can approved as well. Building plans will not be approved for anyone that does not have a guaranteed tap. You will be able to build as soon as phase 1 is inspected, which will be before the expiration of the permit, which is September 1st. We thank Dart for working with us at all, as he could have pulled out when the developer didn't fulfill his obligation.

Mr. Pfendler has done much research and has determined that regardless of the County's liability, and the politics involved, we will be waiting a long time for satisfaction from them. They agree to help, but they have done very little. Michael and Dart have spent countless hours on a resolve. We hope that TRA realized that if they don't proceed and let Dart help us, there may not be a Phase II to consider.

I encourage you to pay the tap, as it doesn't look great on Phase II right now.

Please let me know if you have any further questions, and I will be glad to help.

Gina



From: Irving, Gary [girving@bushbros.com]
Sent: Thursday, September 06, 2012 10:23 AM
To: Kenneth C. Hill
Cc: sorrells@cbvnl.com; Gina Butler (gina@buttermgmt.com)
Subject: Stone Bridge Sewer Tap Fee

Dear TRA Commissioners:

I own lot 58 in the Stonebridge subdivision in Jefferson County, TN. Our developer ran out on us and failed to fulfill his obligation of completing the infrastructure necessary for us to build our dream home. Michaels Sorrells has worked tirelessly with Dart Kendall of Aquagreen to create the necessary sewer infrastructure to support 50 of the 108 lots in the subdivision.

I would like to ask you to please support Aquagreen's request to collect tap fees so we can complete the sewer for the remaining 58 lots. Dart has been working at least a year trying to get tap fees approved, but is so frustrated with the government red tape he is encountering, he is thinking about walking away from this project. This will leave 58 home owners in a lurch and will seriously impact the investment we all have in the property we purchased in good faith.

PLEASE, PLEASE, PLEASE approve Aquagreen's request to collect tape fees. Your support in this matter would go a long way toward easing the pain the developer has caused everyone and will enable us to move forward building our house.

Thank you so much,

Gary & Karen Irving
Lot 58

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Jean A. Stone

From: Kenneth C. Hill
Sent: Wednesday, September 12, 2012 2:57 PM
To: Jean A. Stone
Subject: FW: Stonebridge Sewer Tap Fee Collection by Aquagreen

From: Allen Johnston [<mailto:allenj@greentechenv.com>]
Sent: Thursday, September 06, 2012 7:38 PM
To: Kenneth C. Hill
Subject: Stonebridge Sewer Tap Fee Collection by Aquagreen

Mr. Hill,

I am the owner of Lot 42 in the Stonebridge development. As I know you are well aware, the developer failed to complete the sewer development and the bond was never followed up on so we as property owners have been forced to remedy the situation. My wife and I have already paid the tap fees to insure sewer service but our costs for sewer service may go up significantly if the other 58 property owners who have not paid the tap fee are unable to do so because of lack of approval by the TRA. I am therefore requesting the TRA support Aquagreens request to collect tap fees so the sewer can be completed for the remaining 58 lots and take action so this effort can be expedited.

I appreciate your attention to this matter.

Sincerely,

Allen and Ellen Johnston
Stonebridge Lot 42
Cell: 423-366-0533

Jean A. Stone

From: Kenneth C. Hill
Sent: Wednesday, September 12, 2012 2:57 PM
To: Jean A. Stone
Subject: FW: Stonebridge S/D

From: ebotts@charter.net [<mailto:ebotts@charter.net>]
Sent: Friday, September 07, 2012 12:56 PM
To: Kenneth C. Hill
Subject: Stonebridge S/D

Mr. Hill: My wife and I purchased three lots in Stonebridge S/D with the understanding that an onsite central sewer system would service the entire community. A final subdivision plat was recorded and signed by a Jefferson County official stating that he had reviewed the sewer plans and that they met all local and State requirements. Almost a year later when all work ceased on the sewer installation the lot owners discovered that no sewer plans were in existence at the time the plat was recorded and that the State (TDEC) had never been contacted about Stonebridge. Since the County is denying any responsibility for the actions of one of it's own...and since the developers have basically divorced themselves from any responsibilities in finishing the development...the property owners are left to make the best of a not-so-good situation by finishing the sewer system themselves. I simply ask that you give us the opportunity to do just that by allowing AquaGreen to charge tap fees for the remaining 58 lots in Stonebridge that will otherwise be rendered useless. Thank you so much for any support you are willing to offer. Eddie and Connie Botts

Jean A. Stone

From: Kenneth C. Hill
Sent: Wednesday, September 12, 2012 2:58 PM
To: Jean A. Stone
Subject: FW: Stonebridge Sewer Tap Fees Approval

From: Phil Rollins [<mailto:pkrollins@yahoo.com>]
Sent: Friday, September 07, 2012 2:03 PM
To: Earl Taylor; Kenneth C. Hill; Sara Kyle; Kenneth C. Hill
Subject: Stonebridge Sewer Tap Fees Approval

To all concerned:

My wife and I purchased lot 7 in Stonebridge in 2008 also, we invested most of our life savings in this lot hoping to sale our existing home and building there as we are retired. This has been the most stressful ordeal we have ever encounter, please, we request approval for Aquagreen to collect tapfees to finish the sewer.

Thank you and your help is greatly needed and appreciated.

Phil & Susan Rollins
2740 Wildwood Road
Dandridge TN 37725.

Jean A. Stone

From: Kenneth C. Hill
Sent: Wednesday, September 12, 2012 2:58 PM
To: Jean A. Stone
Subject: FW: Stonebridge sewer

From: linda mcphee [<mailto:lc MCPhee@gmail.com>]
Sent: Saturday, September 08, 2012 8:53 AM
To: Kenneth C. Hill
Subject: Stonebridge sewer

I own Lot 29 at the Stone Bridge development in Dandridge, tn. I am sending this email to advise my support of Aquagreen to collect tapfees so we may finish the sewer.

Richard McPhee

Jean A. Stone

From: Kenneth C. Hill
Sent: Wednesday, September 12, 2012 2:58 PM
To: Jean A. Stone
Subject: FW: Waste Treatment Plant at Stonebridge

-----Original Message-----

From: bob burleson [mailto:bburleson50@gmail.com]
Sent: Monday, September 10, 2012 5:52 PM
To: Earl Taylor; Kenneth C. Hill; Sara Kyle
Cc: Gina Butler; customercare; Jaine Burleson
Subject: Waste Treatment Plant at Stonebridge

Aqua Green Utility Inc. is waiting for the TRA to put the hearing for approval of tap fees for the remaining 58 homeowners back on the agenda for a board hearing. Please approve the plans prior to the deadline for completion which may cause us to have to start all over, jeopardizing all of the finances we've employed.

Please help us protect our investment, and protect our environment by moving us forward with the plans AGUI has in place, of which you have approved the first 50 homes for, leaving the remaining homes for approval and also considered at that time. The first phase is complete, and the second and final phase is awaiting your approval to move forward.

Please see the dockets for stone bridge at:
<http://tn.gov/tra/dockets/1000145.htm>

Thank You!
James & Jaine Burleson
2 Lots (4 & 9) Owner

Jimmie Hughes

From: Tom Anderson [footertom@gmail.com]
Sent: Friday, September 14, 2012 9:47 AM
To: Kenneth C. Hill
Subject: Tap fees at Stonebridge

Would you please approve the collection of tap fees for Aquagreen. Without a sewage treatment plant to cover all the lots at Stonebridge my wife's and my retirement savings are history. Also, is there anyway you could tell me what the problem and holdup is with the approval?

Thank you for your time. Thomas and Susan Anderson

Jimmie Hughes

From: Micah Downing [micah.downing@blueridgeresearch.com]
Sent: Tuesday, September 18, 2012 7:48 AM
To: Earl Taylor; Kenneth C. Hill; Sara Kyle
Subject: Stonebridge Development

Dear TRA,

We want you to know as property owners at the Stonebridge Develop (Lot 49), we support Aqua Green's efforts to complete the sewer system for the entire development. We have been very frustrated by the process, and we hope approval for their system and tap fees is approved. Thank you for your consideration.

Cordially,

Micah & Lisa Downing
Lot 49
Stonebridge

From: john@brookhavendesigns.net
Sent: Monday, September 24, 2012 7:50 PM
To: Kenneth C. Hill
Cc: sorrells@cbvnoi.com
Subject: Docket 1200004 Stonebridge on Douglas Lake
Attachments: Stonebridge.doc

I have attached a letter I mailed to Mr. Foster of the TRA over two weeks ago. I have not received any response and when I looked at the above ref. docket, it has not been added to it either. I don't know if I sent the letter to the wrong person or not; I only know I need your help in restoring my investment at Stonebridge. You see, I am own one of the 58 lots in Stonebridge that still does not have sewer service. As medical bills mount I may have to sell this lot but without sewer service, it has no value. Please help me by moving this request through to approval.

Sincerely,

John M. Wech
8345 Cliff Ridge Ct
Corryton, TN 37721

8345 Cliff Ridge Ct.
Corryton, TN 37721

September 10, 2012

Tennessee Regulatory Authority
Mr. David Foster, Chief, Utilities Div.
460 Robertson Parkway
Nashville, TN 37243-0505

RE: Docket 1200004 Stonebridge on Douglas Lake

Dear Mr. Foster,

We own one of the 58 lots within Stonebridge that currently does not have sewer service available to it. We fully support the efforts made by other lot owners within our community and the utility contractor, Aqua Green Utility, Inc.. For years now, we have patiently waited for this issue to be resolved and this spring we thought it was finally going to come to pass. We were not lucky enough to be part of the first 50 lots to pay the tap fee. Please note that although we offered to pay a tap fee and wait until service becomes available, those collecting the fees acted honorably by declining to accept the funds until all necessary approvals were secured. We were told that other lot owners have also offered to pay and were waiting for the approvals also.

We want to commend Mr. Dart Kendall for his honesty, patience, and diligence in seeking these approvals. Please understand that neither the HOA nor Advanced Septic Inc. nor Aqua Green Utility Inc. are pressing the lot owners to pay for something that we don't want, quite the contrary; they are the only ones protecting the interests of the lot owners in Stonebridge. We need the approvals so that the sewer system can be completed so that all lot owners will have the buildable lot that we paid for. As you know a bond was allowed to expire instead of being used, as it was intended to be, to build this utility. All we are requesting is to allow our current contractor to provide the service we must have to make our lot buildable again. We were encouraged to see the progress made this year within our community and we were patiently waiting for the approvals that were being sought on our behalf. However, the recent activities are causing great concern that all our savings invested in this lot may become valueless as it seems we are once again encountering unnecessary obstacles to the completion of the utility that the builder never completed.

At this juncture, we request that the TRA come to the aid of the 58 lot owners in Stonebridge on Douglas Lake that are still seeking approval of the applications submitted by Mr. Kendall to expand the sewer system within our community to provide capacity to service our lots. We ask that you approve the applications presented so that all lot owners will be able to build on their lots. Your delay in approving this request is holding over half of the properties in this community hostage and at risk of losing the homesites we thought we had purchased. We implore you, please move forward and grant approval of this application.

Sincerely,

John M. & Diana L. Wech,
Owners of Lot 70 (not part of the first 50 lots)