



State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office
William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

July 19, 2001

The Honorable Rex Lynch
County Executive of Anderson County
County Courthouse, Room 208
Clinton, Tennessee 37716

Dear Mr. Lynch:

The Local Government Planning Advisory at its meeting on June 27, 2001 approved the Anderson County Growth Plan submitted by the Secretary of State, as the result of mitigation by the administrative law judge panel. This plan is effective as of June 27. Enclosed is one copy of the materials submitted by the law judges and one copy of the Local Government Planning Advisory Committee resolution of approval.

The Comprehensive Growth Plan Law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep an archive copy of the plan.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald G. Waller".

Donald G. Waller
Director

DW/jw

Enclosure

**Resolution of Approval
By The
Local Government Planning Advisory Committee
For
Plans Mediated By an Administrative Law Panel**

Whereas, an Administrative Law Panel or Administrative Law Judge appointed by the Tennessee Secretary of State has submitted a County Growth Plan for Anderson County and its municipalities; and

Whereas, the Administrative Law Panel or Judge has mediated a plan which has been ratified by the county and cities pursuant to TCA 6-58-104;

Now, Therefore Be It Resolved by the Local Government Planning Advisory Committee that the Anderson County Growth Plan is hereby approved and becomes effective this date.



Chair, Local Government Planning Advisory Committee

Jun 27, 2001
Date



State of Tennessee
Department of State
Administrative Procedures Division
312 Eighth Avenue North
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243
Phone: (615) 741-7008 Fax: (615) 741-4472

MEMORANDUM

To: Tom Stiner, Chairman
Local Government Planning Advisory Committee

From: Charles C. Sullivan II, Director *CCS*
Administrative Procedures Division

Date: May 11, 2001

Subj.: Anderson County Comprehensive Growth Plan
Dispute Resolution Process
Docket No. 46.00-012530J

The City of Clinton declared an impasse with Anderson County on December 14, 2000, with respect to the adoption of an urban growth plan for Anderson County. In accordance with T.C.A., §6-58-104(b)(1)&(2), the City of Clinton notified the Secretary of State of the impasse and requested that he refer the matter to the Administrative Procedures Division for resolution in accordance with the statute. At the request of the parties, I assigned a three-judge panel to resolve the matter.

The parties reached a settlement through mediation sessions on March 23-24, 2001, and their respective legislative bodies subsequently approved a comprehensive growth plan. Anderson County has submitted the attached copies of the comprehensive growth plan. With the parties' resolution of the impasse, I am forwarding the comprehensive growth plan to your committee for its consideration. This office will remove the matter from our active case list.

Thank you for consideration of this plan.

Attachment

cc: (w/o attachment)
Rex Lynch
Steve Jones
Timothy Sharp
Benny Carden
Paul Boyer
Scott Collins
James A. Hornsby



RECEIVED

2001 MAY 10 AM 9:52

ANDERSON COUNTY SECRETARY OF STATE

REX A. LYNCH
COUNTY EXECUTIVE

Judge James Hornsby
312 8th Avenue North
8th Floor
William R. Snodgrass Tower
Nashville, TN 37243

Dear Judge Hornsby:

Enclosed are the copies of the fully executed resolutions from Anderson County and the five municipalities supporting the 20 Year Growth Plan. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rex Lynch", is written over a large, light-colored scribble or mark.

Rex Lynch
County Executive

cc: Steve Jones, City of Clinton
Timothy Sharp, Lake City
Benny Carden, City of Norris
Paul Boyer, City of Oak Ridge
Scott Collins, City of Oliver Springs

Stanley E. Justice, Jr.
Mayor

Joseph Van Hook
Judge/Recorder

Ramona Walker
Court Clerk/Finance Officer

Gregory Scott Collins
City Administrator

The Town of Oliver Springs

P.O. Box 303
Oliver Springs, Tennessee 37840
(423) 435-7722

April 6, 2001

ALDERMAN

Don Shillings
Jeffery Denton
Wanda Kinser
Edward King
Timothy Yarborough
O. Russell, Jr.

Mr. David S. Clark
Anderson County Attorney
166 Fairbanks Road
Oak Ridge, TN. 37830

Re: Twenty year growth plan

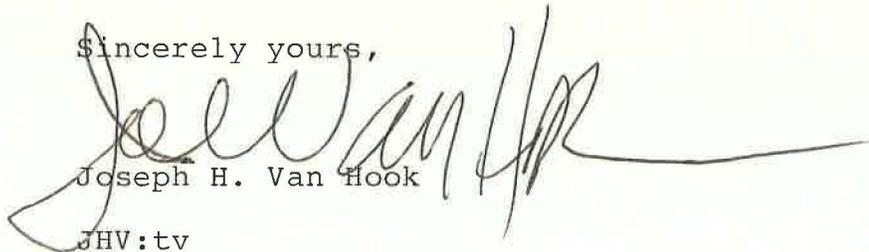
Dear David:

Please find enclosed a certified copy of Ordinance No. 01-04-05A, wherein the Town of Oliver Springs has approved the Twenty Year Urban Growth Development Plan as agreed in Nashville a few weeks ago.

It is my understanding that you are to collect the resolutions of all governmental entities approving the growth plan and transmit them to Nashville. When said transmission is complete, all the governmental entities within Anderson County will then be eligible for grant funds since each entity will then be in full compliance with the law as regards the urban growth plan.

Should you have questions, please do not hesitate to contact me.

Sincerely yours,

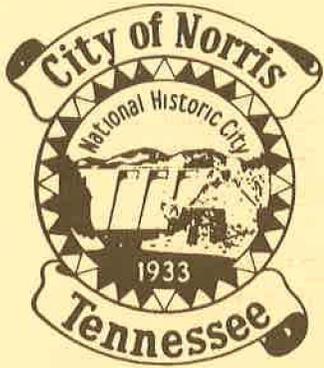

Joseph H. Van Hook

JHV:tv
d/TM5

Enclosure: Certified copy of ordinance

pc: The Hon. Tim Sharp, Mayor of Lake City
The Hon. Richard Dyer, Mayor of Norris
The Hon. Gary Stinnett, Mayor of Oliver Springs
The Hon. Frank Diggs, Mayor of Clinton
Mr. Steve Jones, City Manager, Clinton
The Hon. Jerry Kuhaida, Mayor of Oak Ridge
Mr. Paul Boyer, City Manager, Oak Ridge
Mr. Rex Lynch, Anderson County Executive

Oliver Springs the Western Anchor of the Technology Corridor



City of Norris

20 Chestnut Drive • P. O. Drawer 1090
Norris, Tennessee 37828
(423) 494-7645
FAX (423) 494-7302
Email: ctynorrs@knoxnews.infi.net

April 10, 2001

Mr. Rex Lynch
Anderson County Executive
Anderson County Courthouse
100 North Main Street
Clinton, TN 37716

RE: Anderson County Twenty-year Growth Plan

Dear Mr. Lynch:

Enclosed is Resolution 02-2001 passed unanimously by Norris City Council April 9, 2001 approving the Anderson County Twenty-year Growth Plan as agreed upon during the March 23rd and 24th mediation session in Nashville.

After all Anderson County entities have approved the growth plan and they have been sent to Nashville, grant funds will continue to be available. The county and all cities will be in compliance with the law for the growth plan.

If you have a question please call 494-7645.

Sincerely,

Benny Carden
City Manager

BC/db

Enc. Resolution 02-2001

Copy: Mr. Gary Cooper, Chairman Anderson County Commission
✓ Mr. Rex Lynch, Anderson County Executive
The Hon. Tim Sharp, Mayor of Lake City
The Hon. Frank Diggs, Mayor of Clinton
Mr. Paul Boyer, City Manager of Oak Ridge
Mr. Joseph H. Van Hook, City Recorder, Oliver Springs

RESOLUTION

WHEREAS, the State of Tennessee pursuant to Tennessee Code Annotated (T.C.A.) § 6-58-101 et. seq., requires that all counties provide the State with a twenty year growth plan which details the annexation requirements of the cities within the affected counties; and

WHEREAS, Anderson County, Oak Ridge, Clinton, Norris, Lake City and Oliver Springs have followed the procedure mandated by T.C.A. § 6-58-101 et. seq. to adopt a growth plan.

WHEREAS, a dispute arose among Oak Ridge, Oliver Springs, and Anderson County regarding the potential annexation of lands by the City of Oak Ridge within the boundaries of Anderson County; and

WHEREAS, officials of the various municipalities and Anderson County participated in a mediation conference in Nashville, Tennessee on March 22-23, 2001 to resolve their differences; and came to an agreement which adopted the Anderson County Mediation Master Map 1 and included the conditions set out in the maps and documents filed as a part of the official record with the Administrative Law Judge Panel in Nashville, listed as Exhibit A through G, copies of which are also filed with the Oak Ridge City Clerk's office; and

WHEREAS, as a result of the mediation hearing, the parties agreed to adopt an amended Anderson County Growth Plan in which the City of Oak Ridge gained an additional 2,284 acres for potential annexation during the next twenty years, which includes: (1) the Bull Run Area (containing 911 acres, more or less); (2) the Elza Area, Marlow Area, along with subdivisions in Autumn Ridge, Lake Hills, Ivy Lane, and land south of Highway 61 (containing 1,140 acres, more or less); (3) the Marlow Area north of Highway 61 and east of the Moran Church (containing 233 acres, more or less); and

WHEREAS, the areas set out above to be included in Oak Ridge's Urban Growth Boundary are further depicted on the attached Map identified as Exhibit H which was revised from the Anderson County Mediation Master Map 1 by the City of Oak Ridge Community Development Department on March 29, 2001 ; and

WHEREAS, the agreement adopted by the mediation teams requires final ratification by the legislative body of each of the Municipalities and Anderson County Commission; and

WHEREAS, said Mediation Teams have agreed to recommend to their respective governmental entities ratification of the Anderson County Urban Growth Plan, as amended by the negotiations between the parties during the mediation hearing; and

WHEREAS, the City Manager recommends adoption of the Anderson County Growth Plan, as amended by the negotiations between the parties during the mediation hearings on March 22-23, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCILMEN OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the Anderson County Growth Plan, as amended by the negotiations between the parties during the mediation hearings on March 22-23, 2001, is hereby ratified.

BE IT FURTHER RESOLVED that pursuant to the Anderson County Growth Plan, as amended, the City of Oak Ridge shall gain an additional 2,284 acres for potential annexation during the next twenty years, which includes (1) the Bull Run Area (containing 911 acres, more or less); (2) the Elza Area, Marlow Area, along with subdivisions in Autumn Ridge, Lake Hills, Ivy Lane, and land south of Highway 61 (containing 1,140 acres, more or less); (3) the Marlow Area north of Highway 61 and east of the

Moran Church (containing 233 acres, more or less) as shown on the attached Map Exhibit H entitled "Anderson County Growth Plan" as revised by the City of Oak Ridge Community Development Department dated March 28, 2001.

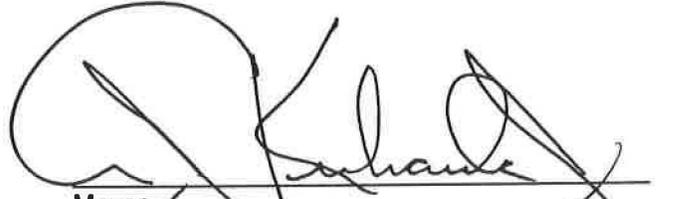
BE IT FURTHER RESOLVED that the agreements negotiated between the representatives of the City of Oak Ridge, Anderson County and Oliver Springs and set out more fully in Exhibit C and Exhibit G and made a part of the City Attorney's Memorandum be adopted and made a part of this Resolution and be specifically incorporated herein.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 2nd day of April 2001.

APPROVED AS TO FORM AND LEGALITY:


City Attorney


Mayor


City Clerk

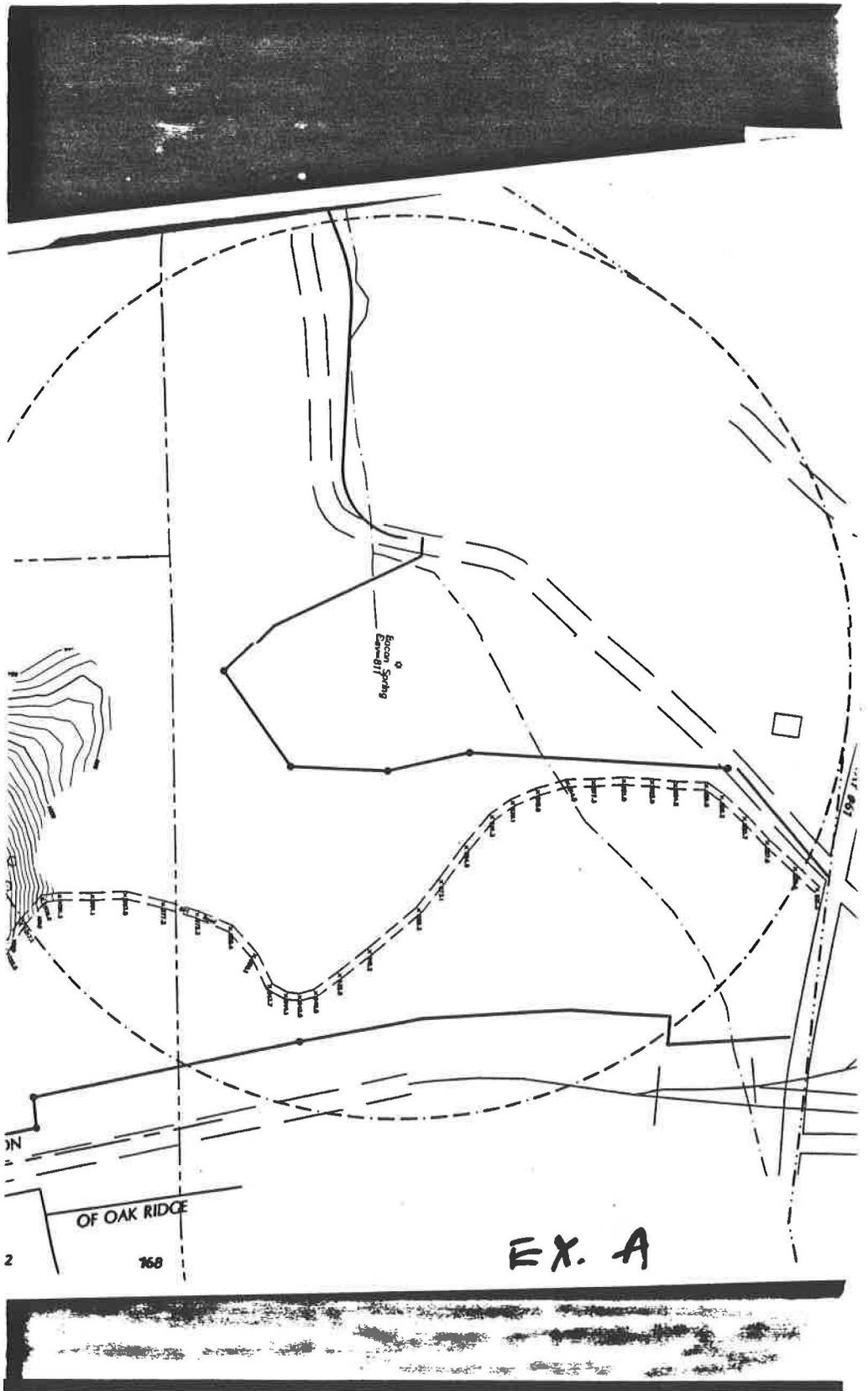
Exhibit C

Oliver Springs – Oak Ridge Agreement March 23, 2001

1. Oak Ridge will not put in its urban growth area plan the Oliver Springs Water Plant and the deed boundary footprint (consisting of 7-8 acres, more or less). This land and building is owned by Oliver Springs Water Company. See Exhibit A and B for maps.
2. Oak Ridge agrees not to serve any of the Oliver Springs water/sewer customers in the Oak Ridge Urban Growth Area, if and when Oak Ridge might annex the area.
3. Oliver Springs will be protected by the State law well-head protection act and other laws, and Oak Ridge will assist in honoring the well-head protection act and other environmental laws.
4. The Oliver Springs Municipal government will be exempt from building permits if the water and sewer lines need to be upgraded, repaired, maintained by the Oliver Springs Municipal government. Any independent contractor must follow state law.
5. Wellhead 850' radius as shown on Exhibit A, if it is annexed, will be zoned by Oak Ridge as RG-1, large lot residential open space or its equivalent.
6. All parties agree that these terms will be a part of the Anderson County Growth Plan.

NOTE: The original Exhibit C was handwritten and is filed as part of the official record for this hearing with the Administrative Law Judge Panel in Nashville.

Exhibit A Attached



EX. A

Exhibit G

**March 23, 2001
Include in Growth Plan**

1. Bull Run Tract (911 acres, more or less) is included in Oak Ridge UGB. Oak Ridge and Anderson County agree to share revenue over and above property taxes on an equal basis should the Bull Run facility be privatized. Any expenses associated with such privatization shall also be shared on an equal basis between Oak Ridge and Anderson County.
2. Section 1 on Exhibit F shall be included in the Anderson County PGA.
3. Section 2 on Exhibit F shall be included in the UGB.
4. Annexation of the subdivisions known as Autumn Ridge, Lake Hills or Ivy Lane within the Oak Ridge UGB will require a referendum or petition supported by more than fifty percent (50%) of those residents voting.
5. In the event of annexation of property within the Oak Ridge Northeast UGB, ACUB shall have the option to retain any then existing subscribers.
6. Oak Ridge and Anderson County agree to enter into good faith negotiations with the goal of entering into a "Side Agreement" as discussed in PC No. 1101, Section 5 et seq. to cover the management, control, development costs, etc. associated with the development of Section 2, Exhibit F. Any "Side Agreement" thus entered into under this Section (Exhibit G, No. 6) is not a part of the Anderson County Growth Plan.
7. This agreement shall be a part of the Anderson County Growth Plan subject to approval by all governing bodies.

NOTE: The original Exhibit G was handwritten and is filed as part of the official record for this hearing with the Administrative Law Judge Panel in Nashville.

Exhibit F Attached

A Resolution to Approve the Comprehensive Twenty-year Growth Plan for Anderson County

WHEREAS, the State of Tennessee requires that each county and the municipalities contained therein establish a twenty-year growth plan for that county pursuant to the policy and procedures located at Tennessee Code Annotated (T.C.A.) §6-58-101, et. seq.; and

WHEREAS, Anderson County and the municipalities of Anderson County have followed the procedures of T.C.A. §6-58-101 et. seq. and after having initially failed to adopt a growth plan, have engaged in a mediation of their disputes as provided in T.C.A. §6-58-104(b); and

WHEREAS, after two days of mediation in Nashville on March 22 and 23, 2001, before a three-judge panel appointed by the Secretary of State, the mediation team duly appointed by Anderson County and the mediation teams duly appointed by each of the municipalities of Anderson County, and more specifically the mediation team of the City of Norris, consisting of Mayor Richard Dyer and Vice-mayor Jean Creswell, came to an agreement containing the conditions set forth in EXHIBITS "A" through "G", the originals of which were filed with the panel of Administrative Law Judges as exhibits to, and official records of, the mediation; and

WHEREAS, the agreement reached by the mediation team is only tentative and requires final approval by the legislative body of Anderson County and the legislative body of each of the municipalities of Anderson County, and more specifically requires approval by the City Council of the City of Norris,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norris, Tennessee, meeting on the 9th of April, 2001, that the twenty-year comprehensive growth plan as described in the agreement, and specifically in EXHIBITS "A" through "G", is now hereby approved and adopted by the City of Norris.

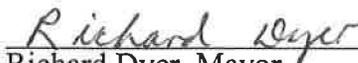
BE IT FURTHER RESOLVED that the written agreement between the City of Norris, the City of Clinton, and Anderson County, and identified as Exhibit "E" in the official records of the mediation, be made a part of this resolution and incorporated herein.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Anderson County Executive, the Anderson County Commission, the Town of Lake City, the Town of Oliver Springs, the City of Clinton, and the City of Oak Ridge.

BE IT FURTHER RESOLVED that the Mayor and City Manager of the City of Norris are authorized to execute any further agreements or legal instruments on behalf of the City of Norris, approving and/or indicating the approval of the City of Norris to the aforesaid twenty-year comprehensive growth plan as set forth in EXHIBITS "A" through "G".

Adopted this 9th day of April, 2001.

Approved:


Richard Dyer, Mayor

Attest:

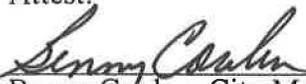

Benny Carden, City Manager

Exhibit "E"

March 23, 2001

Agreement between Anderson County, the City of Clinton, and the City of Norris

Regarding the 1-75 State Road 61 Interchange:

1. Clinton will rescind Ordinance 404, [of the annexation] of the 1-75 State Road 61 Interchange.
2. Anderson County and corresponding municipalities will drop all current and pending lawsuits regarding Clinton's annexation near/ adjacent to/ surrounding the 1-75 State Road 61 interchange and all areas east of the Clinch River.
3. The City of Clinton's UGB south of State Road 61 moves north to properties one parcel deep of Sinking Springs (Old Hwy 61). In other words, properties south of old hwy 61 that straddle this road are included in the UGB of the City of Clinton. Property south of this revised UGB will revert to PGA status.
4. Regarding Clinton's UGB north of State Road 61, the City of Clinton will not annex the subdivisions of Hunter's Trail and Indian Hills and Glen Alpine unless 51% of the residents agree to be annexed by petition or referendum.
5. Regarding current and future lawsuits about Clinton's annexation East-Northeast of the Clinch River, Anderson County will act as *amicus curiae* (friend of the court) for the City of Clinton.
6. The City of Clinton has invested in public infrastructure, namely, lights, adjacent to I-75 State Road 61 interchange. In exchange for Clinton rescinding ordinance 404, the annexation of this interchange, Anderson County agrees to reimburse the City of Clinton expenditures in this endeavor and will pay \$55,000, and Norris will pay \$20,000, to the City of Clinton. Anderson County will pay for the utility cost of these lights and maintain them.
7. The City of Clinton will not annex across I-75 - State Road 61 interchange for a period of 5 years.
8. This agreement shall be a part of the Urban Growth Plan subject to the approval of the governing bodies.

(The original agreement, identified as Exhibit "E", was signed by the members of the mediation teams representing Anderson County, the City of Oak Ridge, the Town of Lake City, the Town of Oliver Springs, the City of Clinton, and the City of Norris; and was made part of the official record of the mediation hearings of March 22-23, 2001.)

RESOLUTION 387

A Resolution Approving the Growth Plan for the Anderson County and the Municipalities Contained Therein

WHEREAS, the State of Tennessee requires that each county and the municipalities contained therein establish a twenty-year growth plan for urban areas pursuant to the policy and procedures located at Tennessee Code Annotated (T.C.A. 6-58-101, *et seq*;

WHEREAS, the City of Clinton, Anderson County and other Municipalities of Anderson County have followed the procedures of T.C.A. 6-58-101, *et seq*; and after initially failed to adopt a Growth Plan have engaged in a mediation of their disputes as provided by T.C.A. 6-58-104(b);

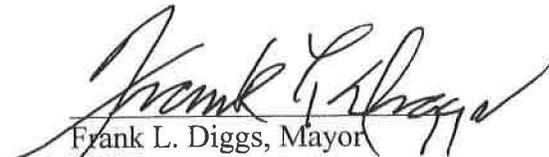
WHEREAS, after two days of mediation in Nashville on March 22nd and March 23rd, 2001, before a three-judge panel appointed by the Secretary of State, the mediation team duly appointed by the City of Clinton and those mediation teams appointed by each of the legislative bodies of Anderson County came to agreement containing the conditions listed in "Exhibit A" and reflected on the map attached as "Exhibit B";

WHEREAS, the agreement struck by the mediation teams is only a tentative and requires final approval by the legislative body of Anderson county and the legislative body of each municipalities of Anderson County;

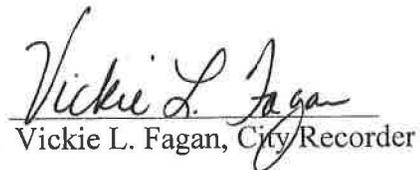
NOW, THEREFORE BE IT RESOLVED BY THE CITY OF CLINTON LEGISLATIVE BODY, meeting this the 29th day of March 2001, that the Twenty-Year Comprehensive Growth Plan as described in the agreement as well as Exhibits A through G, is approved by the City of Clinton.

Adopted this 29th day March, 2001

APPROVED:


Frank L. Diggs, Mayor

ATTESTED:


Vickie L. Fagan, City Recorder



James S. (Steve) Jones
City Manager

James A. Cotton
Assistant City Manager / Finance Director

William R. Riggs
Community Development Director

Vickie L. Fagan
Assistant Finance Director / City Recorder

Jeffrey L. Kidwell
Codes Enforcement Officer



Frank L. Diggs
Mayor

City Council

Garry Whitley
Patsy A. Meredith
Albert O. Turner
Robert C. Hill
Robert E. Chastain
Harry E. Patton

April 9, 2001

Mr. David S. Clark
Anderson County Attorney
166 Fairbanks Road
Oak Ridge, Tennessee 37830

Dear David:

Please find enclosed a certified copy of Resolution #387, wherein the City of Clinton has approved the Twenty-Year Growth Plan as agreed on in Nashville.

Should you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Steve".

Steve Jones
City Manager

cc: Mayor Tim Sharp, Lake City
Mayor Jerry Kuhaida, Oak Ridge
Mayor Gary Stinnett, Oliver Springs
Mayor Richard Dyer, Norris
County Executive Rex Lynch, Anderson County

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSIONERS MET IN RECESS SESSION ON MARCH 26, 2001 WITH THE FOLLOWING COMMISSIONERS PRESENT: ALDERSON, COOPER COX, CREASEY, DICKENS, HAUN, HOLLOWAY, JERNIGAN, ROSE, SCARBROUGH, SHOOPMAN, SLUSHER, STOOKSBURY AND VINES. ABSENT: IWANSKI AND WALLACE.

Prayer given by Commissioner Slusher.

Pledge of Allegiance lead by Commissioner Alderson.

1. Commissioner Cox move to approve Commissioner Anita Vines to finish the term of her late husband Commissioner Jim Vines on the Solid Waste Committee. Seconded by Commissioner Scarbrough. Motion carried by voice vote.
2. Commissioner Dickens moved to adopt Twenty Year Growth Plan resolution. Seconded by Commissioner Shoopman.
Amended by Commissioner Rose moved to table the motion.
Seconded by Commissioner Stooksbury.
Voting amended motion:
VOTING AYE: Cox, Haun, Rose, Stooksbury and Vines. NO: Alderson, Cooper, Creasey, Dickens, Holloway, Jernigan, Scarbrough, Shoopman and Slusher. Absent: Iwanski and Wallace.
Motion failed.
Voting Original:
AYE: Alderson, Cooper, Cox, Dickens, Holloway, Jernigan, Scarbrough, Shoopman, Stooksbury and Vines. NO: Creasey, Haun, Rose and Slusher. Absent: Iwanski and Wallace.
Motion carried.

RESOLUTION

A Resolution Approving the Growth Plan for Anderson County and the Municipalities Contained Therein

WHEREAS, the State of Tennessee requires that each county and the municipalities contained therein establish a twenty-year growth plan for urban areas pursuant to the policy and procedures located at Tennessee Code Annotated (T.C.A.) §6-58-101, *et seq.*;

WHEREAS, Anderson County and the Municipalities of Anderson County have followed the procedures of T.C.A. §6-58-101, *et seq.* and after having initially failed to adopt a Growth Plan have engaged in a mediation of their disputes as provided by T.C.A. §6-58-104(b);

WHEREAS, after two days of mediation in Nashville on March 22nd and 23rd, 2001, before a three-judge panel appointed by the Secretary of State, the mediation team duly appointed by Anderson County and those mediation teams appointed by each of the Municipalities of Anderson County came to an agreement containing the conditions listed in "Exhibit A" and reflected on the map attached as "Exhibit B";

WHEREAS, the agreement struck by the mediation teams is only tentative and requires final approval by the legislative body of Anderson County and the legislative body of each of the Municipalities of Anderson County;

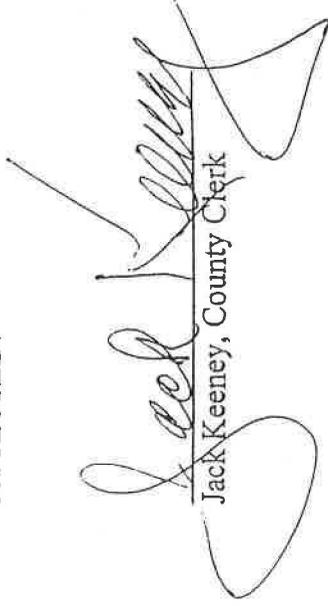
NOW, THEREFORE BE IT RESOLVED BY THE COUNTY LEGISLATIVE BODY OF ANDERSON COUNTY, meeting this the 26th day of March, 2001, that the Twenty-Year Comprehensive Growth Plan as described in the Agreement as well as Exhibits A through G, is hereby approved by Anderson County.

Adopted this 26th day of March, 2001.

APPROVED:


Rex A. Lynch, County Executive

ATTESTED:


Jack Keeney, County Clerk

3. Commissioner Stooksbury moved to ajourn. Seconded by Commissioner Scarbrough. Motion carried by voice vote.

ORDINANCE NO. 01-04-05A

WHEREAS, the State of Tennessee requires that each county and the municipalities contained therein establish a twenty year growth plan for urban areas pursuant to the policy and procedures located at Tennessee Code Annotated (T.C.A.) §6-58-101, et. seq.; and,

WHEREAS, Anderson County and the municipalities of Anderson County have followed the procedures of T.C.A. §6-58-101 et. seq. and after having initially failed to adopt a growth plan, have engaged in a mediation of their disputes as provided in T.C.A. §6-58-104(b); and,

WHEREAS, after two days of mediation in Nashville on March 22, and 23, 2001, before a three judge panel appointed by the Secretary of State, the mediation team duly appointed by Anderson County and the mediation team duly appointed by each of the municipalities of Anderson County, and more specifically the mediation team of the Town of Oliver Springs consisting of Mayor Gary Stinnett and City Recorder Joseph H. Van Hook, came to an agreement containing the conditions listed on "EXHIBIT "A" and reflected on the map attached as "EXHIBIT "B", the original of which was filed with the Office of the Administrative Law Judges as exhibits to the mediation; and,

WHEREAS, the agreement reached by the mediation team is only tentative and requires final approval by the legislative body of Anderson County and the legislative body of each of the municipalities of Anderson County, and more specifically requires approval by the Town Council of the Town of Oliver Springs:

NOW, THEREFORE, BE IT IS RESOLVED, APPROVED, ORDAINED AND PASSED by the Town Council of the Town of Oliver Springs, meeting on the day and date last below written, that the twenty year comprehensive growth plan as described in the agreement as well as in EXHIBIT "A" through "G", is now hereby approved and adopted by the Town of Oliver Springs:

NOW, THEREFORE, BE IT IS RESOLVED, APPROVED, ORDAINED AND PASSED by the Town Council of the Town of Oliver Springs that a certified copy of this resolution be transmitted to the Anderson County Commission, the Anderson County Executive, the Town of Lake City, the City of Norris, the City of Clinton, and the City of Oak Ridge.

NOW, THEREFORE, BE IT IS RESOLVED, APPROVED, ORDAINED AND PASSED by the Town Council of the Town of Oliver Springs that the Mayor and City Recorder are authorized to execute any further agreements on behalf of the Town of Oliver Springs, approving and/or indicating the approval of the Town of Oliver Springs to the aforesaid twenty year comprehensive growth plan as described aforesaid.

Adopted this 5th day of April, 2001.

APPROVED:

ATTEST:


Joseph H. van Hook, City Recorder

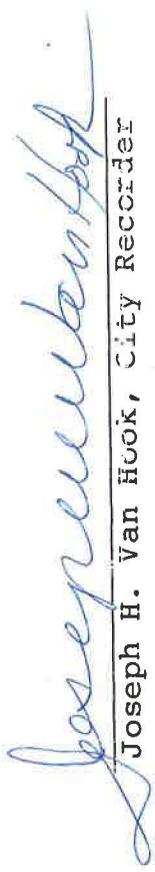
SEAL


Gary Stinnett, Mayor

TM#5resp3.

CERTIFICATE

This is to certify that this is a true and exact copy of the Ordinance approving the twenty year Comprehensive Growth Plan, as passed by the Town of Oliver Springs Town Council on the day and date written above, the original of which is in the Minutes of the Town of Oliver Springs, Tennessee.
This this 5th day of April, 2001.



Joseph H. Van Hook, City Recorder

SEAL

RESOLUTION 421

A Resolution Approving the Growth Plan for Anderson County the Municipalities Contained Therein

Whereas, the State of Tennessee requires that each County and the Municipalities contained therein establish a twenty-year growth plan for urban areas pursuant to the policy and procedures located at T.C.A § 6-58-101, *et seq.*;

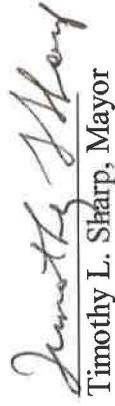
Whereas, the City of Lake City, Anderson County and other Municipalities of Anderson County have followed the procedures of T.C.A. 6-58-01, *et seq.*; and after initially failed to adopt a Growth Plan have engaged in a mediation of their disputes as provided by T.C.A. 6-58-104(b);

Whereas, after two days of mediation in Nashville on March 22nd and March 23rd, 2001 before a three-judge panel appointed by the Secretary of State, the mediation team appointed by Anderson County, and the mediation teams appointed by each of the municipalities of Anderson County specifically the City of Lake City, represented by Mayor Timothy L. Sharp, came to an agreement containing the conditions listed in "Exhibit A" reflected on the map attached as "Exhibit B";

Whereas, the agreement struck by the mediation teams is only tentative and requires final approval by the legislative body of Anderson County and the legislative body of each of the Municipalities of Anderson County;

NOW, THEREFORE BE IT RESOLVED, by the Board of Mayor and Council of the City of Lake City, Tennessee that the twenty-year Comprehensive Growth Plan as described in the Agreement as well as Exhibits A through G, is hereby approved.

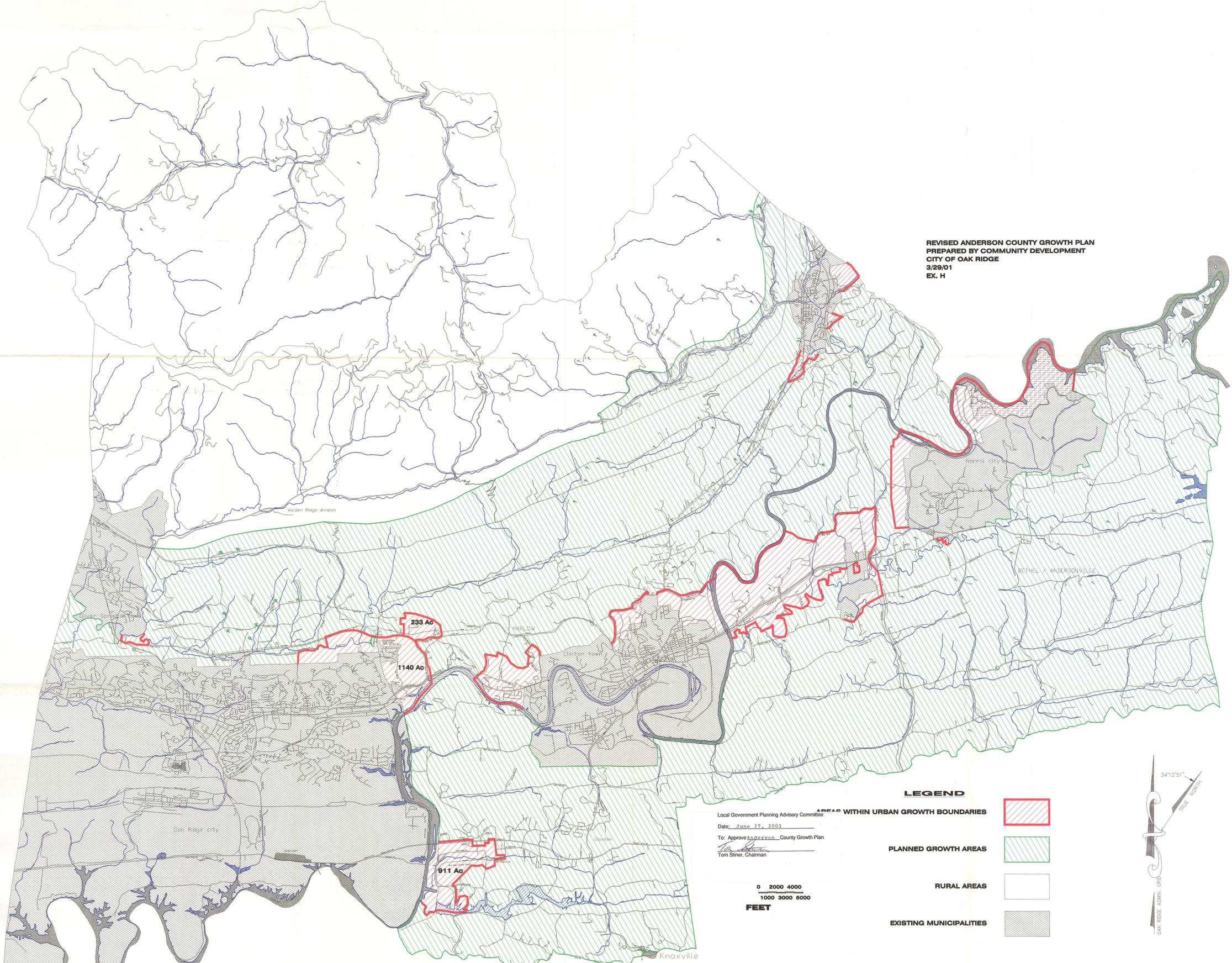
Adopted this 19th day of April, 2001.


Timothy L. Sharp, Mayor

Attested:


Jean Hayton, Recorder

REVISED ANDERSON COUNTY GROWTH PLAN
 PREPARED BY COMMUNITY DEVELOPMENT
 CITY OF OAK RIDGE
 3/29/01
 EX. H



Local Government Planning Advisory Committee
 Date: June 27, 2001
 To: Approve Anderson County Growth Plan
 Via _____
 Tom Stiner, Chairman

0 2000 4000
 1000 3000 5000
FEET

LEGEND

-  AREAS WITHIN URBAN GROWTH BOUNDARIES
-  PLANNED GROWTH AREAS
-  RURAL AREAS
-  EXISTING MUNICIPALITIES





State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office

William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

July 5, 2006

The Honorable Rex Lynch
Anderson County Mayor
Suite 208, 100 North Main Street
Clinton, Tennessee 37716

Dear Mayor Lynch:

The Local Government Planning Advisory Committee approved the Anderson County Growth Plan - Oliver Springs Urban Growth Boundary - submitted by the Anderson County Coordinating Committee. Enclosed is a copy of the materials submitted by the Coordinating Committee and a copy of the Local Government Planning Advisory Committee's Resolution of Approval, effective June 30, 2006.

The Comprehensive Growth Plan law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep a copy of your plan.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,

Dan Hawk
Director

DH/jw

Enclosure

Cc: Ed Kelley-Mayor, Town of Oliver Springs
David Bradshaw, Mayor, City of Oak Ridge
Sharon Wallace, Mayor, City of Norris
Buck Wilson, Mayor, Lake City
Myron Iwanski-Chair, Anderson County Commission
Jay Yeager, Assistant County Attorney

LOCAL GOVERNMENT PLANNING ADVISORY COMMITTEE

Resolution

Anderson County Growth Plan Amendment
Oliver Springs Urban Growth Boundary

Whereas, the Anderson County Coordinating Committee was reconvened January 19, 2006 to at the request of Mayor Ed Kelly of the City of Oliver Springs to consider an amendment to the Oliver Springs Urban Growth Boundary, and

Whereas, Anderson County Coordinating Committee Chair Mayor Rex Lynch has submitted all required documentation specified by the Local Government Planning Advisory Committee to be compliant with Tennessee Code 6-58-107 describing and depicting the proposed amendment to the Anderson County Growth Plan, and

Whereas, documents certifying compliance with Tennessee Code 6-58-104 for adoption and amendment of the county growth plan have been submitted by the Anderson County Coordinating Committee indicating ratification of the amendment by the legislative bodies of Anderson County and the cities of Clinton, Lake City, Norris, Oak Ridge and Oliver Springs, and

NOW, THEREFORE, BE IT RESOLVED, by the Local Government Planning Advisory Committee that the Anderson County Growth Plan Amendment of the Oliver Springs Urban Growth Boundary, request dated June 16, 2006 shall be approved and effective June 30, 2006.

Adopted 6-30-06


Kathryn Baldwin, Chair


Dan C. Hawk
Department of Economic and
Community Development



ANDERSON COUNTY

REX LYNCH
COUNTY MAYOR

June 16, 2005

Dan Hawk
Local Government Planning Office
5401 Kingston Pike, Suite 210
Knoxville, TN, 37919

Dear Mr. Hawk:

On behalf of the Anderson County Coordinating Committee, I am pleased to submit the enclosed documentation supporting the amendment of the Urban Growth Boundary (UGB) for the Town of Oliver Springs. The Anderson County Coordinating Committee (Coordinating Committee) was reconvened on January 19, 2006 at the request of Mayor Ed Kelley (Oliver Springs) to address the addition of \pm 259 acres of property currently owned by the Coal Creek Mining Company (Map 62, Parcel 1). The Coordinating Committee has completed the approval process in accordance with Public Chapter 1101 of 1998 including ratification by all legislative bodies (e.g. Clinton, Norris, Lake City, Oliver Springs, Oak Ridge, and Anderson County). I would like to request that the enclosed information be submitted to the Local Government Planning Advisory Committee for final approval at their next regularly scheduled meeting.

If you have any questions please feel free to contact me at 457-6200 or Brian Jenks in the Planning and Zoning Office at 463-6870.

Sincerely,

Rex Lynch
Anderson County Mayor
Chairman, Anderson County Coordinating Committee

C.c. Jay Yeager – Assistant County Attorney
Ed Kelley – Mayor, Town of Oliver Springs
David Bradshaw – Mayor, City of Oak Ridge
Sharon Wallace – Mayor, City of Norris
Buck Wilson – Mayor, Lake City
Wimp Shoopman – Mayor, City of Clinton
Myron Iwanski – Chairman, Anderson County Commission
File



State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office

William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

July 5, 2006

The Honorable Rex Lynch
Anderson County Mayor
Suite 208, 100 North Main Street
Clinton, Tennessee 37716

Dear Mayor Lynch:

The Local Government Planning Advisory Committee approved the Anderson County Growth Plan - Oliver Springs Urban Growth Boundary - submitted by the Anderson County Coordinating Committee. Enclosed is a copy of the materials submitted by the Coordinating Committee and a copy of the Local Government Planning Advisory Committee's Resolution of Approval, effective June 30, 2006.

The Comprehensive Growth Plan law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep a copy of your plan.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,

Dan Hawk
Director

DH/jw

Enclosure

Cc: Ed Kelley-Mayor, Town of Oliver Springs
David Bradshaw, Mayor, City of Oak Ridge
Sharon Wallace, Mayor, City of Norris
Buck Wilson, Mayor, Lake City
Myron Iwanski-Chair, Anderson County Commission
Jay Yeager, Assistant County Attorney

LOCAL GOVERNMENT PLANNING ADVISORY COMMITTEE

Resolution

Anderson County Growth Plan Amendment
Oliver Springs Urban Growth Boundary

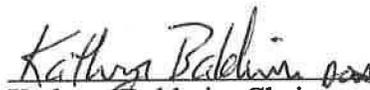
Whereas, the Anderson County Coordinating Committee was reconvened January 19, 2006 to at the request of Mayor Ed Kelly of the City of Oliver Springs to consider an amendment to the Oliver Springs Urban Growth Boundary, and

Whereas, Anderson County Coordinating Committee Chair Mayor Rex Lynch has submitted all required documentation specified by the Local Government Planning Advisory Committee to be compliant with Tennessee Code 6-58-107 describing and depicting the proposed amendment to the Anderson County Growth Plan, and

Whereas, documents certifying compliance with Tennessee Code 6-58-104 for adoption and amendment of the county growth plan have been submitted by the Anderson County Coordinating Committee indicating ratification of the amendment by the legislative bodies of Anderson County and the cities of Clinton, Lake City, Norris, Oak Ridge and Oliver Springs, and

NOW, THEREFORE, BE IT RESOLVED, by the Local Government Planning Advisory Committee that the Anderson County Growth Plan Amendment of the Oliver Springs Urban Growth Boundary, request dated June 16, 2006 shall be approved and effective June 30, 2006.

Adopted 6-30-06


Kathryn Baldwin, Chair


Dan C. Hawk
Department of Economic and
Community Development

Edwin L. Kelley
Mayor

TOWN OF OLIVER SPRINGS

701 Main Street – P.O. Box 303
Oliver Springs, TN 37840

Phone (865) 435-7722 Fax (865) 435-4881

Joseph Van Hook
Judge – Recorder

Ramona Walker
Court Clerk/Finance Officer

Aldermen
Chris Hepler
John Chadwell
Omer Cox
Terry Craze
Paul Fox
James Brummett

October 20, 2005

Rex Lynch
Anderson County Mayor
100 N. Main Street
Clinton, TN 37716

COPY

Dear Mr. Lynch:

It is our intention to annex this area (Map Enclosed), and we are presently going through all the hoops and motions necessary to present for annexation to the committee.

The ad for the public hearing will be in Friday's Oak Ridger paper, October 21, 2005, and the public hearings will be held on November 3rd, and 17th, at 6:00 p.m. at city hall. Also, three notices have been posted for the public hearing and annexation.

Once this is completed, we will ask that you convene the committee to review this plan of annexation. Please note, that this has nothing to do with the growth plan submittal, which will be forth coming.

If you have any questions or comments, please feel free to contact me at my office.

Sincerely,

Edwin L. Kelley
Edwin L. Kelley
Mayor/Town of Oliver Springs

**ANDERSON
COUNTY
GROWTH
COMMITTEE**

The Anderson County Growth Committee will reconvene on January 19, 2006 @ 10:00 A.M. in the Oliver Springs City Hall @ the request of the City of Oliver Springs to discuss potential expansion of the city boundaries.

0115-30-2

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 2 consecutive ~~weeks~~ ^{times} in The Courier-News on the following dates:

1/15/06 - 1/18/06

Signed Don Bridgeman
Publisher

Subscribed and sworn to before me this, the 25th day of January, 2006

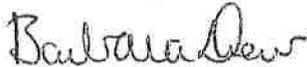
Henny Sullivan
Notary Public

My Commission Expires 2/15/09

ANDERSON COUNTY URBAN GROWTH COMMITTEE
10:00 A.M.
OLIVER SPRINGS CITY HALL

The Anderson County Urban Growth Committee will reconvene on January 19, 2006 @ 10:00 A.M. @ the Oliver Springs City Hall. The meeting has been scheduled @ the request of The City of Oliver Springs to discuss potential expansion of city boundaries. If you have any questions please call Brian Jenks @ 865-463-6870.

Thank You,



Barbara Dew
Anderson County Public Works
Administrative Assistant

**Anderson County
Department of Public Works
Department of Zoning & Code Enforcement**

100 North Main Street
Suite 127
Clinton, TN 37716
(865) 457-6244
(865) 457-6245 - fax

FAXED
1-4-06

Blw
4:35 pm

Fax

To: Penny From: Barbara Dew
Fax: _____ Pages: 2
Phone: _____ Date: 1-5-05
Re: _____ CC: _____

Urgent For Review Please Comment Please Reply

• **Comments:**

Penny,

Please run this ad on January 14th and 18th.

*Thank You
Barbara Dew*

**ANDERSON COUNTY COORDINATING COMMITTEE MEETING
OLIVER SPRINGS CITY HALL
JANUARY 19,2006
10:00 A.M.
MEETING MINUTES**

MEMBERS PRESENT:

Brian Jenks- A.C. Environmental Coordinator
Greg Darnell- A.C. Building Commissioner
Parker Hardy- O.R. Chamber of Commerce
Jim O'Connor- O.R. City Manager
Rex Lynch- A.C. Mayor
David Bradshaw- O.R. Mayor
Sharon Wallace- Norris Mayor
Greg Fay- Clinton Utility Board
ED Kelley- O.S. Mayor
Buck Wilson- L.C. Mayor
Howard Farmer- Soil Conservation District
Suzanne Koehler- Oak Ridge/Covenant Health

MEMBERS ABSENT:

Wimp Shoopman- Clinton City Mayor
John Price- A.C. Board of Education
Patsy Hazelwood- Bellsouth

The meeting was called to order @ approximately 10:10 A.m. by Anderson County Mayor Rex Lynch. Roll call was taken with 12 members present and 3 members absent. The twelve members present constituted a quorum, which enabled the coordinating committee to vote and conduct business. Mr. Lynch gave a brief explanation of the addition to the Urban Growth Plan. The Town of Oliver Springs is requesting to add approximately 259 acres to the Urban Growth Plan and there was several hundred other acres that they would like to put on the table for further addition to the growth plan in the near future. The only thing being considered @ this time is the 259 acres. Jim O'Connor made a motion to move forward with the request. David Bradshaw seconded. Motion carried by roll call vote, which was unanimous. Mr. Kelley asked if anyone in the audience had any comments. Greg Fay asks Mr. Kelley if there were any negative effects on the proposed plan. Mr. Kelley said there is only positive impact from the proposed plan. Some of the positive effects are as follows: plan for an industrial site; and a campsite on Windrock Mountain to try to make the City self-supporting. Another plus would be the draw of tourism from the Windrock ATV riders. Water, power and sewer will be made available to this area.

Rex Lynch also stated the tourism would impact all cities and counties involved. Also that medical and police response time would be better from Oliver Springs than having to wait for the 35 Minute drive from the county. The town of Oliver Springs will hold two public hearings in Oliver Springs. Following the seconded public hearing the Growth Committee will reconvene and vote to accept the plan. Oliver Springs will be responsible for there own annexation. The meeting was adjourned @ 10:30 P.M.

Oliver Springs eyes annexation

BY BOB FOWLER
fowlerb@news.com

OLIVER SPRINGS — While a campsite request triggered an annexation effort, Mayor Ed Kelley said Thursday he also has other plans for part of the 259-acre tract should it become part of Oliver Springs.

If some of that land were cobbled together with adjoining city acreage off Dutch Valley Road, it would make a fine industrial park for a city now lacking such a facility, Kelley said.

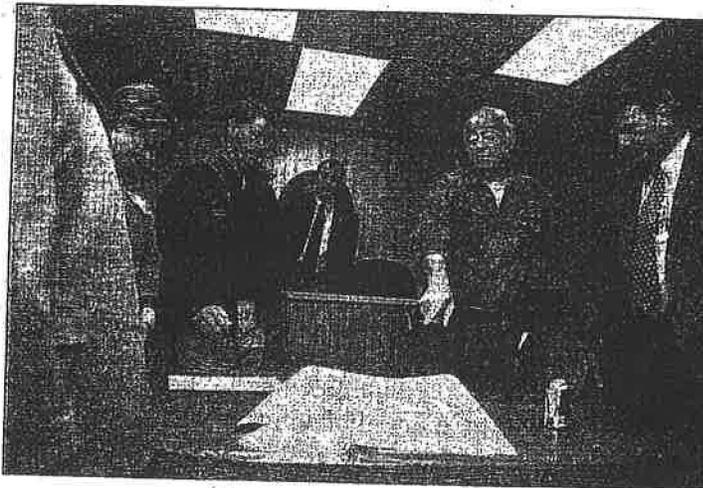
"It's a natural site (for an industrial park)," surveyor Gene Lackey said.

Members of the Anderson County Growth Coordinating Committee on Thursday gave unanimous consent to plans to add land off Windrock Road to the city's urban growth boundary.

That's a crucial hurdle in an involved process that could lead to Oliver Springs taking the land into its city limits, County Mayor Rex Lynch said.

Two public hearings on the proposal will be held soon, followed by ratification requests forwarded to county and city governments, Lynch said.

That'll clear the way for Oliver Springs to annex, officials said. Once that occurs, landowner



BOB FOWLER/NEWS SENTINEL

Oliver Springs Mayor Ed Kelley, second from right, points to a map outlining a proposed expansion of the city's urban growth boundary to, from left, Parker Hardy, Suzanne Koehler, County Mayor Rex Lynch, Oak Ridge Mayor David Bradshaw and Greg Fay.

Coal Creek Co. intends to begin construction of a campground for ATV riders who roam off-road pathways that form an intricate network on nearby Windrock Mountain.

"Some weekends, there are 4,000 riders up there," Kelley said.

Coal Creek Co. owns 72,000 acres of Cumberland Mountain property that it leases out for coal mining and oil and gas well drilling.

Coal Creek General Manager

Chuck Whicker said annexation is needed so the planned 6-acre campground can obtain city water and sewer service, as well as city police protection.

The company intends to invest between \$500,000 and \$1 million in the campground that will feature 60-70 camping sites, Whicker said.

Bob Fowler, News Sentinel Anderson County editor, may be reached at 865-481-3625.

ANDERSON/BLOUNT IN BRIEF

Cleanups planned along Clinch River, Whites Creek

Two environmental groups are planning separate cleanups Saturday along roadsides and trails.

Tennessee Citizens for

Wilderness Planning will maintain the Whites Creek Trail in Rhea County. Participants should meet at 8:45 a.m. to carpool from the Food City on Illinois Avenue in Oak Ridge.

Volunteers are also needed

by the Clinch River chapter of Trout Unlimited to clean a two-mile stretch of U.S. Highway 441 near River Road, along with a stretch of that road. They should meet at 9 a.m. at Island Home Baptist Church on Highway 441 near River Road.

IF YOU'RE ELIGIBLE FOR MEDICARE
OR FAMILY MEMBER WHO

ANDERSON COUNTY GROWTH COMMITTEE

ROLL CALL VOTE

MEETING DATE: 1-18-07

Vote Unanimous

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator	✓			
Greg Damell Anderson County Building Commissioner	✓			
PARKER HARDY Oak Ridge Chamber Of Commerce	✓			
JIM O'CONNOR Oak Ridge City Manager	✓			
WIMP SHOOPMAN (Clintor MAYOR)				✓
REX LYNCH Anderson County Mayor	✓			
DAVID BRADSHAW Oak Ridge Mayor	✓			
JOHN PRICE Anderson County Board of Education				✓
RICHARD DYER Norris Mayor	✓			
GREG FAY Clinton Utility Board / E.T.D.D.	✓			
ED KELLEY Oliver Springs Mayor	✓			
BUCK WILSON Lake City Mayor	✓			
HOWARD FARMER Soil Conservation District	✓			
PATSY HAZELWOOD BELLSOUTH				✓
SUZANNE KOEHLER OAK RIDGE	✓			

roll call
 ANDERSON COUNTY GROWTH COMMITTEE
 ROLL CALL VOTE
 MEETING DATE: 1-19-2006

Quorum

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator			✓	
Greg Darnell Anderson County Building Commissioner			✓	
PARKER HARDY Oak Ridge Chamber Of Commerce			✓	
JIM O'CONNOR Oak Ridge City Manager			✓	
WIMP SHOOPMAN Clintor MAYOR)				✓
REX LYNCH Anderson County Mayor			✓	
DAVID BRADSHAW Oak Ridge Mayor			✓	
JOHN PRICE Anderson County Board of Education				✓
RICHARD DYER <i>sharon wallace</i> Norris Mayor			✓	
GREG FAY Clinton Utility Board / E.T.D.D.			✓	
ED KELLEY Oliver Springs Mayor			✓	
BUCK WILSON Lake City Mayor			✓	
HOWARD FARMER Soil Conservation District			✓	
PATSY HAZELWOOD BELLSOUTH				✓
SUZANNE KOEHLER OAK RIDGE			✓	

Edwin L. Kelley
Mayor

TOWN OF OLIVER SPRINGS

701 Main Street – P.O. Box 303
Oliver Springs, TN 37840

Phone (865) 435-7722 Fax (865) 435-4881

Joseph Van Hook
Judge – Recorder

Ramona Walker
Court Clerk/Finance Officer

Aldermen
Chris Hepler
John Chadwell
Omer Cox
Terry Craze
Paul Fox
James Brummett

January 25, 2006

Anderson County Coordinating Committee
Department of Zoning & Public Works
100 North Main Street
Courthouse, Room 127
Clinton, TN 37716

Dear Members:

I am in receipt of the minutes of the meeting held in Oliver Springs on, January 19, 2006. I believe the last sentence which states that the Town of Oliver Springs will hold two public hearings in Oliver Springs is an error. We have already had two public hearings in reference of this annexation, and as I understand this procedure is that, Anderson County will now hold two hearings. (Please see copies enclosed)

Please notify me if the requirements are different.

Thank you,
Edwin L. Kelley
Edwin L. Kelley
Mayor/Town of Oliver Springs

The annexation postings for the Coal Creek Mining Manufacturing Company were posted in these locations:

- 1. Post Office**
- 2. City Hall**
- 3. Police Department**
- 4. Library**
- 5. Fire Hall**
- 6. Schools**
- 7. Norwood Boys Club**
- 8. Exxon Fun Food**
- 9. Various Businesses throughout the Town of Oliver Springs**

**ANDERSON
COUNTY URBAN
GROWTH
COMMITTEE
PUBLIC
HEARINGS**

The Anderson County Urban Growth Committee will hold two public hearings regarding the adoption of the Urban Growth Plan. The first Public Hearing will be held on February 27, 2006 from 5:30 P.M. to 6:30 P.M. @ the Oliver Springs City Hall. The second Public Hearing will be held on March 6, 2006 from 10:00 to 10:30 A.M. @ The Oliver Springs City Hall. The Growth Committee will meet following the March 6, 2006 Public Hearing to finalize the Urban Growth Plan.

0212-34-7

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 7 consecutive weeks in The Courier-News on the following dates:

2/12/06 - 2/15/06 - 2/19/06 - 2/22/06 -
2/26/06 - 3/1/06 - 3/5/06

Signed Don Budzeman
Publisher

Subscribed and sworn to before me this, the 9th
day of March, 2006

Kevin Sullivan
Notary Public

My Commission Expires 2/25/09

**ANDERSON COUNTY COORDINATING COMMITTEE
OLIVER SPRINGS CITY HALL
FEBRUARY 27,2006
5:30 TO 6:30 P.M.
PUBLIC HEARING**

PUBLIC HEARING SUMMARY:

The public hearing was open to the public for comments regarding the adding of the 259 acres on Windrock Mountain to the Urban Growth Plan. Mayor Kelley asked for comments.

Question # 1- Does a Corporation or private person own this land?

Answer- The land is owned by The Coal Creek Company.

Question # 2 Are there any plans to incorporate other property?

Answer- Yes, but will not discuss at this time. The property is located in the west. Property is inside Anderson and Roane County. City Judge Joe Finch explained the UGB basics to the citizens.

Question # 3- Is a plan of services done?

Answer- Yes.

There were no further comments.

Mayor Kelly asked few comments

1) Question - does corporation or private person own land

A - Owned by The Coal Creek Company Inc 1872

Mayor Kelly stated it did not involve any
revenue City of OS is looking at possibly
an Industrial park -

2) Question - any plans to incorporate other property

A - yes but will not discuss at this
time - But will be to the west both
in A Co & Loan Co.

City Judge Joe Smith explained UGB basics

3) Question - is a plan of ^{revenue} ~~revenue~~ ^{revenue} ~~revenue~~

A - yes

ANDERSON COUNTY COORDINATING COMMITTEE MEETING
OLIVER SPRINGS TOWN HALL
MEETING DATE: 2/27/06

Public Hearing
5:30 PM - 6:30 PM

PLEASE SIGN NAME AND AFFILIATION BELOW:

COREY DARNELL	Anderson Co.
ED KELLY	CITY of O.S.
Joe VanHook	518 Second Norway Ln OSTN 37856
Eugene Lackey	P.O. Box 458, Oliver Springs, TN
Chuck Whicker	The Coal Creek Company
Cindy Simpson	Roano County News
John Huston	The Oak Ridger
Sabrina Shopp	638 Johnson Rd., Oliver Springs
James M. Sheppona	638 Johnson Rd. Oliver Springs
Jesse Harey	116 Cedar Hill Church Rd. Clinton
FRED TATE	573 JOHNSON RD O.S.
Ella Sue Tate	573 Johnson Rd "
Gail McCulloch	632 Johnson Rd, O.S. TN 37840
Joyanne Kocher	Anderson County Urban Growth Comm
Buck Wilson	LAKE CITY
Packer Harvot	Oak Ridge (Member of Commerce & Coordinating Council)
Ann Overton	Clinton TN
Rex Lyle	Anderson County Mayor
David R Bradshaw	OR

**ANDERSON COUNTY COORDINATING COMMITTEE
OLIVER SPRINGS CITY HALL
MARCH 6, 2006
10:00 A.M.
PUBLIC HEARING/MEETING**

COMMITTEE MEMBERS PRESENT:

Brian Jenks-A.C. Environmental Coordinator
Greg Darnell-A.C. Building Commissioner
Parker Hardy- O.R. Chamber of Commerce
Rex Lynch- A.C. Mayor
David Bradshaw-O.R. Mayor
Greg Fay-Clinton Utility Board
Ed Kelley-O.S. Mayor
Buck Wilson-L.C. Mayor
Howard Farmer-Soil Conservation District
Suzanne Koehler-Covenant Health

PUBLIC HEARING SUMMARY:

Anderson County Mayor Rex Lynch opened the floor for comments and or questions.

Question # 1- Who will supply water and sewer to the 259 acre tract of land?

Answer- The City of Oliver springs will provide the water and sewer.

Question # 2- Are there any residences in the City of Oliver Springs who don not have public water or sewer?

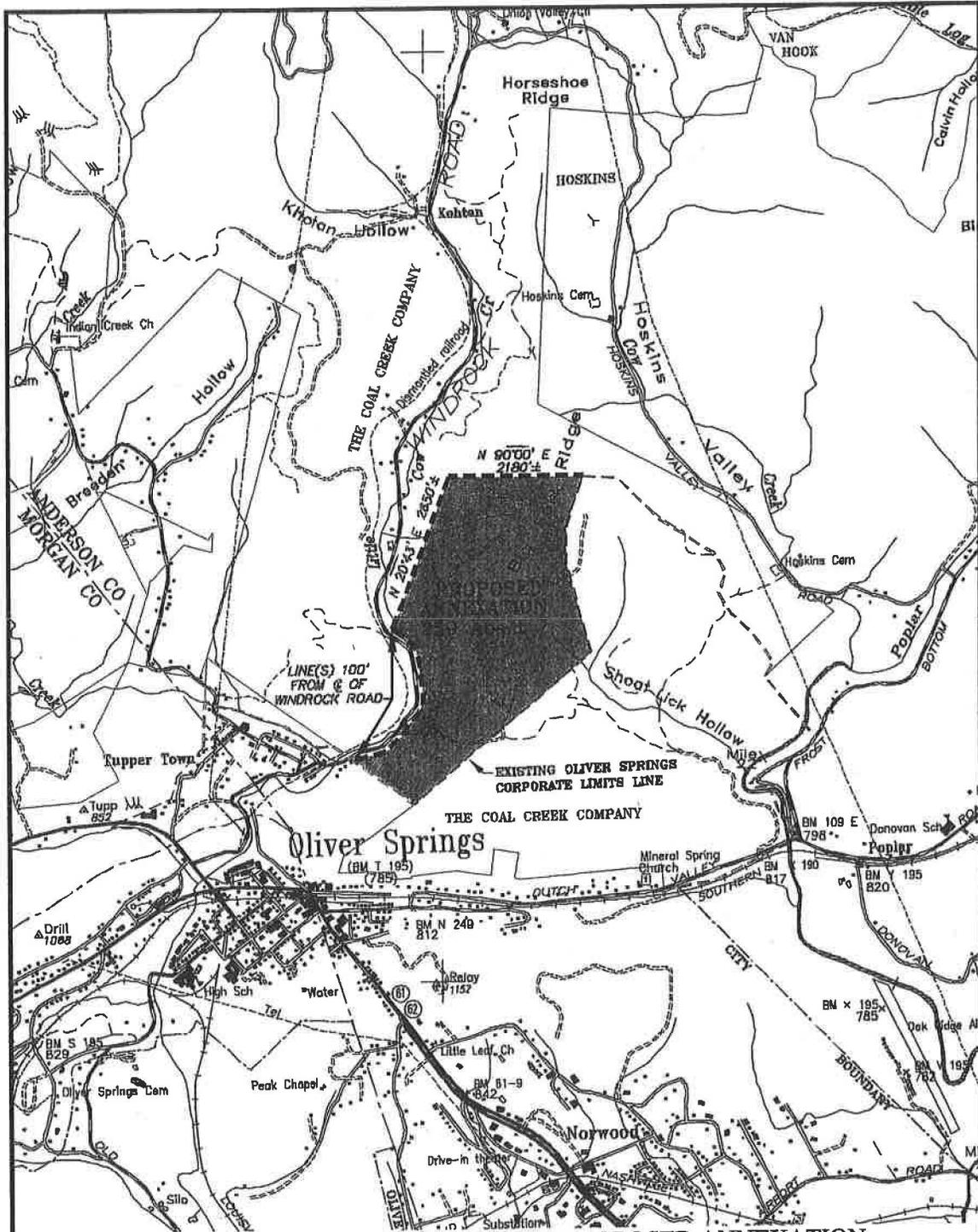
Answer- Mayor Kelley said that all residences have water and sewer availability. There are a few houses that choose to stay on well water and about 6 to 8 houses that don't have sewer because of the way the pipe lines run. They have been offered the availability of sewer pumps by the City of Oliver Springs.

Question # 3- Has the City of Oliver Springs ever had trouble supplying water?

Answer- Mayor Kelley says they have not had trouble supplying water in two and a half years and feels he can supply water for all areas including the 259 acres.

MEETING SUMMARY:

Anderson County Mayor Rex Lynch called the meeting to order @ 10:30 A.M. Mayor Lynch ask if any members had any questions. There was no response. Mayor Lynch asks for a motion to accept the updated Urban Growth Plan. David Bradshaw made a motion to accept the plan. Howard Farmer seconded. Motion carried by roll call vote. Vote was 10-0. All municipalities will take the plan before their Commission for approval. The meeting was adjourned @ 10:40 A.M.

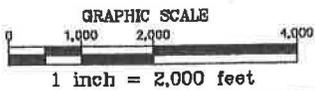


NOTE: PROPERTY IS PART OF PARCEL 1 ON ANDERSON COUNTY TAX MAP 62.

LEGEND

- APPROXIMATE PROPERTY LINE
- - - NEW OLIVER SPRINGS CORPORATE LIMITS LINE
- - - EXISTING OLIVER SPRINGS CORPORATE LIMITS LINE

NOTE: GRAPHIC PREPARED FROM DIGITAL VERSION OF USGS WINDROCK 7.5 MINUTE QUADRANGLE.



**PROPOSED ANNEXATION
BIG FORK RIDGE CAMPGROUND
CITY OF OLIVER SPRINGS
FIRST CIVIL DISTRICT ~ ANDERSON COUNTY, TENNESSEE**

SCALE: 1 INCH = 2,000 FEET
DATE: OCTOBER 18, 2005

**DRAWN BY:
LACKEY AND ASSOCIATES, INC.
214 MAIN STREET
OLIVER SPRINGS, TN 37840
PHONE: (865) 435-7663**

DRAWING NO. 05-1062

2002 10/21/02

ANDERSON COUNTY GROWTH COMMITTEE
ROLL CALL VOTE
MEETING DATE: 10-21-02

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator	✓			
Greg Damell Anderson County Building Commissioner	✓			
PARKER HARDY Oak Ridge Chamber Of Commerce	✓			
JIM O'CONNOR Oak Ridge City Manager				✓
WIMP SHOOPMAN Clintor MAYOR)				✓
REX LYNCH Anderson County Mayor	✓			
DAVID BRADSHAW Oak Ridge Mayor	✓			
JOHN PRICE Anderson County Board of Education				✓
RICHARD DYER Norris Mayor				✓
GREG FAY Clinton Utility Board / E.T.D.D.	✓			
ED KELLEY Oliver Springs Mayor	✓			
BUCK WILSON Lake City Mayor	✓			
HOWARD FARMER Soil Conservation District	✓			
PATSY HAZELWOOD BELLSOUTH				✓
SUZANNE KOEHLER OAK RIDGE	✓			

*David W. ...
name ...
MAYOR ...*

approval of Urban Growth Plan

ANDERSON COUNTY GROWTH COMMITTEE
 ROLL CALL VOTE
 MEETING DATE: 3-6-16

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator	✓			
Greg Damell Anderson County Building Commissioner	✓			
PARKER HARDY Oak Ridge Chamber Of Commerce	✓			
JIM O'CONNOR Oak Ridge City Manager				✓
WIMP SHOOPMAN (Clintor MAYOR)				✓
REX LYNCH Anderson County Mayor	✓			
DAVID BRADSHAW Oak Ridge Mayor	✓			⊗
JOHN PRICE Anderson County Board of Education				✓
RICHARD DYER Norris Mayor				✓
GREG FAY Clinton Utility Board / E.T.D.D.	✓			
ED KELLEY Oliver Springs Mayor	✓			
BUCK WILSON Lake City Mayor	✓			
HOWARD FARMER Soil Conservation District	✓			
PATSY HAZELWOOD BELLSOUTH				✓
SUZANNE KOEHLER OAK RIDGE	✓			

Roll Call

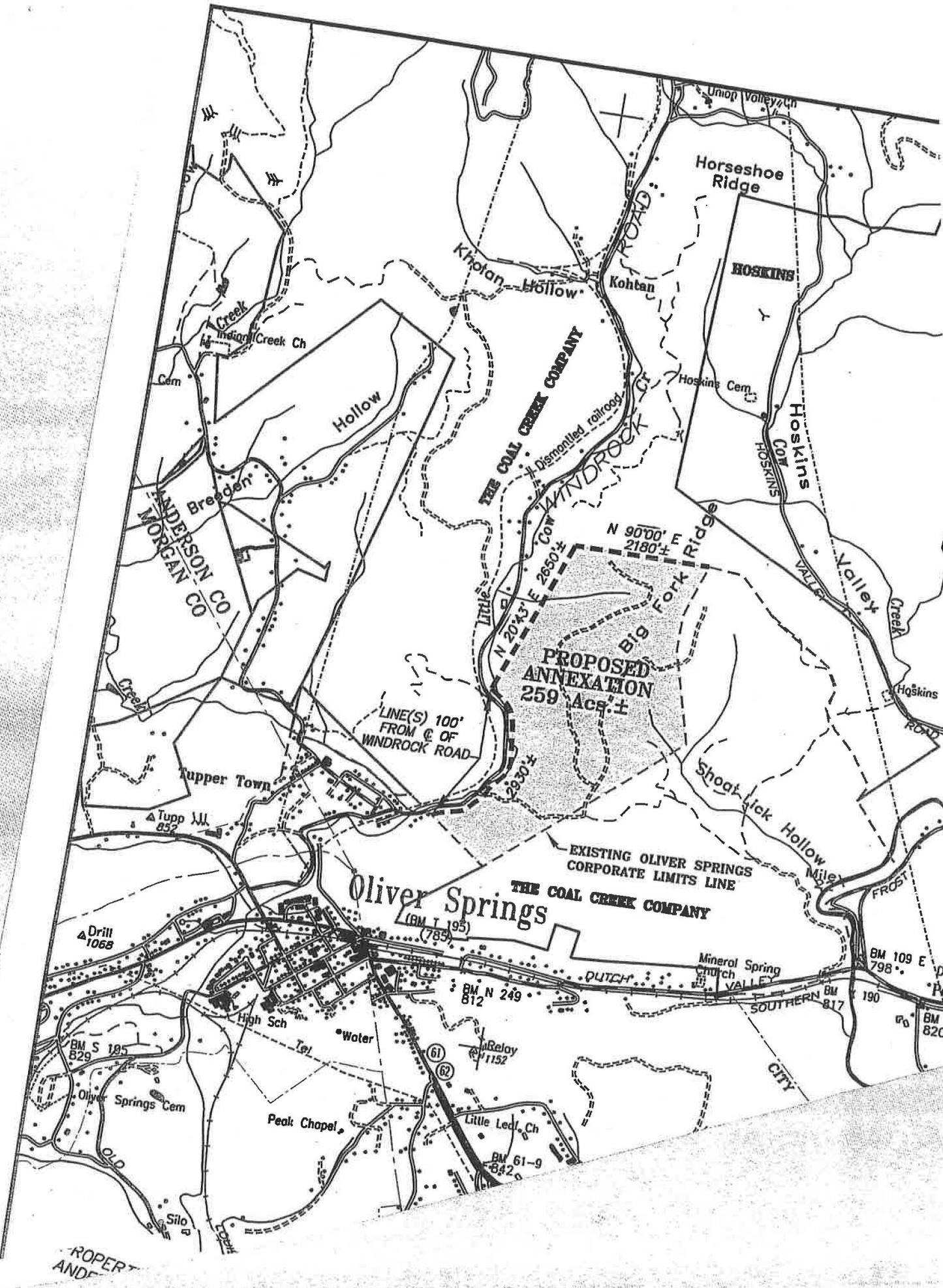
ANDERSON COUNTY GROWTH COMMITTEE
ROLL CALL VOTE
MEETING DATE: 3-6-20

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator			✓	
Greg Damell Anderson County Building Commissioner			✓	
PARKER HARDY Oak Ridge Chamber Of Commerce			✓	
JIM O'CONNOR Oak Ridge City Manager				✓
WIMP SHOOPMAN Clintor MAYOR)				✓
REX LYNCH Anderson County Mayor			✓	
DAVID BRADSHAW Oak Ridge Mayor			✓	
JOHN PRICE Anderson County Board of Education				✓
RICHARD DYER Norris Mayor				✓
GREG FAY Clinton Utility Board / E.T.D.D.			✓	
ED KELLEY Oliver Springs Mayor			✓	
BUCK WILSON Lake City Mayor			✓	
HOWARD FARMER Soil Conservation District			✓	
PATSY HAZELWOOD BELLSOUTH				✓
SUZANNE KOEHLER OAK RIDGE			✓	

Public Hearing

Olive Springs City Hall
3-6-2006

Name	Affiliation
Greg Darnell	Anderson Co.
Brian Jenks	Anderson Co.
Rex Lynch	Anderson Co.
E. Kelley	Mayor O.S.
Engine Lasky	Surveyor
Jerry Heasley	Anderson County
Chuck Wheeler	The Coal Creek Company
Cindy Simpson	Round Co. News
Leann Supper	The Oak Ridge
Paul Fox	O.S.
David Bradshaw	Oak Ridge
Howard Farn	Anderson Soil
Back Wilson	Lake City
Shirley Gay	C.V.B.
Suzanne Koehen	Oak Ridge
Parker Hardy	Oak Ridge Church
Jesse Hanes	116 Cedar Hill Church Rd.
Joel VanHorn	Olive Springs TN 37840





OLIVER SPRINGS URBAN GROWTH BOUNDARY INFORMATION

PREPARED BY:

**THE STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
LOCAL PLANNING ASSISTANCE OFFICE
EAST TENNESSEE REGION
KNOXVILLE, TENNESSEE**

AND

**KENNETH W. HUMPHREY
THE TOWN OF OLIVER SPRINGS, TENNESSEE**

JANUARY 2006

URBAN GROWTH BOUNDARY REPORT

PREPARED FOR

THE TOWN OF OLIVER SPRINGS, TENNESSEE

PREPARED BY

**THE STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
LOCAL PLANNING ASSISTANCE OFFICE
EAST TENNESSEE REGION
KNOXVILLE, TENNESSEE**

**August 26, 1999
Amended January 2006**

INTRODUCTION

In May 1998, the Tennessee Legislature passed a growth policy, annexation and incorporation law known as Public Chapter 1101. The law required cities and counties to evaluate their potential growth over the next twenty years and define their responsibilities in managing that growth through efficient use of land and appropriate public service standards. The law required that each county prepare a growth plan that placed parameters on growth within the county identified as; municipal urban growth boundaries, county planned growth areas and rural areas. A county coordinating committee made up of a representative cross section of the county was established to develop these growth parameters.¹ The county government and municipal governments within the county participated in the process by proposing boundaries based on land needs and public service capabilities. The end result served to guide growth within each county in a more efficient manner.

Public Chapter 1101 allowed that a community's growth plan "may be amended 3 years after approval barring extraordinary circumstances." Making significant changes requires approval through the same steps as set out to approve the original urban growth boundaries.

Purpose

Tennessee Code Annotated 6-58-106 lays out the conditions that must be met in determining urban growth boundaries, planned growth areas, and rural areas. As part of the process of defining these three territories, each municipality and county prepared a report that included: (1) population projections, (2) the costs and projected costs of core infrastructure, urban services and public facilities necessary to accommodate growth, and (3) the land management requirements of future growth. The purpose of that report was to provide the required information supporting the Town of Oliver Springs' Urban Growth Boundary (UGB) proposal.² Now that at least three years have passed since the original "County Growth Plans" have been approved, the Town of Oliver Springs proposes to amend their urban growth plans.

Definitions

Density. This term is not well defined by Public Chapter 1101, but as it relates to land development, refers to the number of persons or structures or housing units of a specified area. Highest densities would most often be found in urban areas and lowest densities would be found in rural areas. The Bureau of the Census defines the line between rural and urban as 1,000 persons per square mile³, which equates roughly to one unit per two acres. Residential densities in the Town of Oliver Springs range from a low average of 1.3 single-family units per acre to a high of 5.7 apartment units per acre. The gross residential density for Oliver Springs is 1.5 units per acre.

Improved Vacant Land. Land which has direct access to street and utility infrastructure and can be developed immediately for its allowed use without further public improvements being required.

Land Use. The technique of identifying for what purpose land is being used. In this report, land use will include residential use in varying densities, commercial uses, public and semi-public uses such as schools, parks and churches, industrial uses, land allocated to transportation facilities, land identified as having physical restrictions on development, and vacant land.

Planned Growth Area. Territory identified in the county outside of municipal urban growth boundaries that must meet the requirements of TCA 6-58-106.

Population Projection. The technique of forecasting population counts into the future. For the purposes of this report, University of Tennessee population projections have been prepared and local governments will use these counts in conjunction with more specific local information to determine future growth needs.

Public Services. Police and fire protection; water, electrical and sewer services; road and street construction and repair; recreation facilities and programs; street lighting; and zoning services.

Rural Area. All territory in a county that is not in a municipality, a municipal urban growth boundary or a planned growth area in the county.

Unimproved Vacant Land. Land that will require public improvements before it may be developed for its allowed use.

Urban Growth Boundary. A line that encompasses territory reserved for municipal growth that must meet the requirements of TCA 6-58-106.

Methodology

Land use and land management, provision of public services and projected growth are used in this report to develop a proposed UGB for the Town of Oliver Springs. Land use has been evaluated by inventorying the existing land uses by land use category, determining the total land area currently being used and establishing the available vacant land for future development. Physical development restrictions are identified and removed from the vacant land total through review of regulatory flood plains and slopes in excess of twenty percent. Public services have been identified and costs associated with expansion within and outside of the Town have been determined. The University of Tennessee has provided population projections through the year 2020 that are used in this report.

An analysis of land use, public services, demographic growth and economic growth is conducted and the results are used to establish the justification for the proposed Oliver Springs' UGB.

URBAN GROWTH PROJECTION

Projected 20-Year Population Growth

The University of Tennessee Center for Economic and Business Research has projected a population growth of seventy persons from the current count of 3,470 persons to 3,540 in the year 2020.⁴ The resulting twenty-year growth rate of two percent is greater than the 6.2 percent decline in population from 1980 to 1990 and consistent with the 1.14 percent increase from 1990-2000. Much of the past decline and minor increase in population is attributed to job losses in neighboring Oak Ridge. The University of Tennessee projections are used as a baseline in this report because they are a quotable source for study purposes. Any apparent inconsistencies will be evaluated later in the report if population growth becomes a factor in the UGB proposal.

Projected Economic and Business Growth⁵

Oliver Springs was originally established as a coal mining community, but over the years the economy has changed to retail and services. The economy is now based on retail businesses that serve the residents of the Town and the adjacent population. Commercial sales in the Town include supermarkets, restaurants, convenience stores and gas stations, and other general business needs.

Still, a goal of the community leaders of Oliver Springs is to develop an industrial park in the immediate area to contribute to the economic growth and provide a source of employment for its residents.

EXISTING LAND USE INVENTORY AND ANALYSIS

The Town of Oliver Springs consists of approximately 4.3 square miles located in the southwest corner of Anderson County on Highway 61. The Town is situated in three counties: Anderson, Roane and Morgan Counties. Table 1 indicates that of the 2,752 square acres contained within the incorporated area, 1,314 acres are vacant. After physiological limitations are factored in, the total unrestricted vacant land is 461 acres.

Table 1. Existing Land Use Inventory⁶

Residential figures shown in parenthesis are included in the residential total line

Land Use	Total Area in Acres	Percentage of Total Land Area	Percentage of Developed Land Area	Total Number of Units	Density of Units Per Acre
Residential Total	398.00	32.60	62.45	1,342	1.50
Single Family	(865.00)	(31.40)	(60.15)	(1,154)	(1.30)
Multi-Family	(22.40)	(0.81)	(1.56)	(134)	(5.98)
Mobile Homes	(10.60)	(0.39)	(0.74)	(55)	(5.18)
Commercial	112.00	4.07	7.79	135	1.21
Industrial	4.00	0.15	0.23	2	0.50
Public/Semi public	95.00	3.45	6.60	28	0.29
Transportation/Utilities	329.00	11.35	22.88		
Total Developed Land	1438.00	52.25	100.00		
Total Vacant Land	1314.00	47.75			
Total Land Area	2752.00	100.00			
Total Vacant Land with Physical Restrictions	853.00	31.00			
Unrestricted Vacant Land	461.00	16.75			

Land Use Inventory

The existing land use is shown in Table 1 and is described in more detail under the following categories:

Residential. Thirty-two percent of the total land area of Oliver Springs is used for residential uses. Eight hundred and ninety-eight acres account for 62.45 percent of the developed land area. This includes approximately 1,154 single-family residential houses, fifty mobile homes, and 134 multi-family units. The majority of the single-family homes can be found in traditional type subdivision developments in the northeastern side of the Town off of Richards Road and Midway Drive. Multi-family units are integrated in government assisted housing located in two separate developments downtown and one near Strutt Street.

Commercial. The commercial sectors of Oliver Springs are concentrated in three areas of the community consisting of 135 businesses using 112 acres of land. This represents four percent of the total land area and 7.79 percent of the developed land area. The principal area of commercial activity is along Highway 61, from the southern corporate limits north to Richards Drive, where a significant amount of new development has taken place. This includes a partially vacated shopping center, restaurant grocery store, pharmacy, and other retail establishments. The second area includes the downtown business district along Central Avenue and Main Street. Many of the older businesses in the downtown area are vacant, due largely to repeated flooding in the area. The third area of commercial activity is at the intersection of Highway 62 and Lookout Avenue.

Industrial. Industrial uses account for 0.15 percent of the total land area in Oliver Springs. Two businesses occupy four acres on Hannah Drive in the center of Town.

Recreation/Institution. This land use category includes public and semi-public uses such as parks, church properties, cemeteries, schools, government lands, and recreation and open spaces. Public and semi-public land uses are located on ninety-five acres and amount to three percent of the total land area. Within Oliver Springs, this includes a high school, middle school, two elementary schools, municipal building, Arrow Head Park, library, Chamber of Commerce, and post office.

Transportation. Rights-of-way for thirty-five miles of road use approximately 259 acres, or 9.41 percent of the total land area. The railroad right-of-way measures 5.34 miles, or 64.74 acres, and totals two percent of the land area.

Utility. There are five acres of land used for utility service facilities; specifically small lots used for sewer system pump stations.

Land with Physical Limitations. Topography and floodplain impose limitations on approximately 1,007 acres within the Town, representing 36.6 percent of its total land area. Problems associated with soils and wetlands are not easily identified and have not been inventoried. However, soils and wetland concerns do exist in the Town and can be generally associated with topography and floodplain. In all cases, the Town requires development standards that will decrease the density and intensity of development where a physical limitation is identified.

Topography was evaluated to determine slopes of greater than twenty percent.⁷ Of the 735 acres identified, the majority is associated with Walden Ridge along the northern limits of the Town. This natural barrier limits future development in this area.

There are 272 acres of floodplain associated with Indian Creek and Popular Creek.⁸ The Downtown Business District has developed in the floodway and the

flood fringe of Indian Creek. There is some vacant land located southwest of the Downtown District that lies within the floodway and flood fringe. The greatest area of vacant land with floodplain constraints is the area in the southern most limits of the Town and east of Highway 61. Vacant lands with floodplain constraints total 192 acres and makes up seven percent of the total land area. Future development demands and the configuration of the floodplain in these areas will present substantial challenges in design and cost.

Vacant. Approximately 47.75 percent of land inside the Town limits of Oliver Springs is vacant. Of the 1,314 acres of vacant land, 853 acres can generally be classified as having physical constraints on the land and should only be considered for low-density development. Vacant land unrestricted by topography or floodplain totals 461 acres, or 16.75 percent of the Town's total land area.

The majority of vacant land is located along the northern limits of the Town around the Walden Ridge area, some of which is constrained by slope differentiation of twenty percent or greater. This area is zoned M-3, Heavy Industrial District, and has been reserved for a possible solid waste landfill.

Analysis of Vacant Land and Re-Use Potential

Vacant Land Potential. The entire Town of Oliver Springs has availability to sewer, water, and street infrastructure to support urban development densities. The largest tract of vacant land is found in the southern portion of the Town limits bordered by Highway 61, Bennett Road, and Popular Creek. This land is zoned M-1, Light Industrial and C-3, Highway Business. The majority of vacant residential land is found on larger unimproved tracts with an existing home. The high-density development of these properties would require the construction of streets and extension of utilities.

Table 1 indicates that there are currently 461 acres of unrestricted vacant land available in the Town. It is estimated that the vacant land is divided evenly by residential, commercial, and industrial zoned properties. Assuming these properties developed without amendment to the zoning, each type would have approximately 153.7 acres of unrestricted land available for development.

Oliver Springs is projected to have an increase of seventy persons over the next twenty years. This population increase, at the 1990 figure of 2.58 persons per household⁹, would require twenty-seven new residential dwellings. The current density for residential land use in Kingston is 1.5 units per acre. The required additional dwellings would need an estimated forty acres of land to fulfill the increase of population. This estimated figure does not include streets, buffer, and open space or additional land need for infrastructure.

If commercial and industrial uses accounted evenly for the remaining 307.4 acres of vacant unrestricted land, that would leave 153.7 acres available for each type of land use. Using the current density of 0.18 commercial businesses per acre as

identified in Table 1, commercial uses would result in approximately 27.7 new businesses. Industrial uses, at 0.05 units per acres, would result in an estimated 7.685 new businesses. Obviously, the number of both commercial and industrial uses per acre will vary depending on access, buffering requirements, on site improvement requirements, and the type of business proposed. Currently, there is sufficient land available for immediate development of commercial and industrial uses.

Re-development and Re-use Potential. Oliver Springs is an old community with a substantial amount of substandard housing and vacant commercial buildings located in the Downtown Business District.

Findings

The Town of Oliver Springs currently has 1,314 acres of vacant land within its corporate limits. There are 661 acres of vacant land with a twenty-percent or greater slope variation that would require a lower density of development. There are 192 acres of vacant land inside the flood hazard area that would restrict or limit residential development potential. Portions of the 353 acres that are deemed physically constrained may be developed at lower densities and intensities depending on appropriate engineering mitigation. An estimated 461 acres are unrestricted and available for higher density development. Therefore, additional land is not needed to accommodate projected growth over the twenty-year period.

EXISTING MUNICIPAL PUBLIC SERVICES ANALYSIS

The Town of Oliver Springs provides water, sewer, street and public works, planning and land use controls, municipal code enforcement, police and fire protection, and general government. Clinton Utility Board provides electric service and Powell Clinch provides natural gas. The following describes the urban services available within the Town, the service provider and budget information on Town of Oliver Springs' services:

Inventory and Description of Public Services¹⁰

Public Utilities. The Town of Oliver Springs provides water and sewer service for the Town and the surrounding area. Expansion into non-served areas is ongoing as development occurs. Currently, the Town provides 1,535 customers inside the corporate limits and 603 customers outside the limits with public water. Sewer is provided to 1,395 customers inside the Town limits and two customers outside the limits.

Public Safety. Police service is provided by the Town of Oliver Springs with ten full-time officers and two auxiliary officers. The Town also provides fire protection with two fire stations.

Solid Waste. The Town provides solid waste collection with an annual cost of \$82,000. Three employees in one truck provide weekly pick-up to all residents inside the Town limits.

Roads and Streets. The Town of Oliver Springs provides street improvement and maintenance to 27 miles of streets inside its Town limits. Existing street improvements and limited traffic control devices are included in this public service category. The 1998-1999 Street Capital Budget was \$135,000 and the Street Maintenance Budget was \$431,000

Parks and Recreation. The Town of Oliver Springs maintains the Arrow Head Park on Old Harriman Highway. The park has four baseball fields, two picnic areas, a softball field, a basketball court, and a tennis court. The Town also maintains the library, located downtown, with a budget of \$17,692 and over three thousand volumes of books.

Planning, Zoning and Municipal Codes. The Board of Mayor and Aldermen and the Municipal Planning Commission guide development in the Town of Oliver Springs with assistance from the Local Planning Office. The Town enforces Development Regulations, with the assistance of the Planning Commission, and Building Codes. Oliver Springs is a participant in the National Flood Insurance Program.

Analysis of Public Services Costs

Non-Municipal Urban Services. The Powell Clinch Utility provides natural gas service to the Town of Oliver Springs.

Municipal Urban Services. The Town of Oliver Springs provides urban services, facilities and infrastructure in the categories of water, sewer, solid waste, street lighting, library, street repair and maintenance, parks, police and fire protection, and planning services. These services have long term capital costs for extension throughout the municipality under current plans and into newly annexed areas.

Findings

Urban services, facilities, and infrastructure are readily available to the residents of Oliver Springs and to those residents living in areas adjacent to its corporate boundary. The expansion of the Wastewater Treatment Plant and the pumping stations allows for future growth and utility extension.

URBAN GROWTH BOUNDARY EVALUATION

Urban Growth Objectives

The Town of Oliver Springs, experiencing population decline during the 1980s, has recovered with slow development and population growth during the 1990s. This trend is expected to continue through the year 2020 as growth occurs both within the corporate boundaries and the territory surrounding it. The objectives Oliver Springs intends to address within its UGB are as follows:

1. Provide development guidance and coordination to those areas that have a logical connection and are an extension of the current urban growth pattern of the Town.
2. Provide public services and community facilities under the policies and standards of the Town.

Review of Potential Urban Growth Areas

Several physical and political obstacles are identified when defining urban growth outside the Town. Expansion of the corporate boundary may occur under specified conditions in each case, however, the Town must be capable to serve those areas identified within the UGB and a logical connection between the Town and the UGB should exist.

The amended UGB, as proposed by the Town of Oliver Springs, is described below:

Roane County. An increase in commercial and industrial growth adjacent to the current urban growth boundaries is anticipated to create a need for services that the Town of Oliver Springs can provide. The proposed amended urban growth boundary begins at the existing boundary along the Morgan and Roane County line continuing southwest, then following property lines as shown on the attached map provided by the Town of Oliver Springs.

Anderson County. A rise in tourism north and east of the Town could bring an increase in potential economic growth, which will require the need for essential services that the Town of Oliver Springs could provide. The Town proposes to amend the existing urban growth boundary as shown on the attached map provided by the Town of Oliver Springs.

Morgan County. Walden Ridge creates a physical obstacle for development into Morgan County. However, as residential and commercial development occurs,

and with a change in the existing urban growth boundaries, the Town of Oliver Springs would be in a position to provide essential services. The proposed UGB is shown on the attached map provided by the Town of Oliver Springs.

Impact on Agriculture, Forests, Recreation and Wildlife Management

Growth in Oliver Springs continues to convert previously agricultural and forested land to predominately single family subdivisions and small commercial lots. Within the area proposed for urban growth by the Town of Oliver Springs, much of the land immediately east and southwest of the Town is already developed into single family residences. Areas located further outside of the Town limits, along Old Harriman Highway and Joel Road, are currently consumed with agricultural activities, pastureland, or lie fallow. There are no formal wildlife management areas to contend outside the Town limits or areas of active forestry.

CONCLUSION AND RECOMMENDATION

Core urban infrastructure, public services, and community facilities are available to the residents of the Town and can accommodate future growth both inside the corporate limits and in the areas proposed for urban growth.

The Town of Oliver Springs can not justify their UGB based on population growth. The Town has sufficient vacant developable land available, 461 acres, to accommodate the predicated population increase of seventy people over the next twenty years.

Oliver Springs can justify the UGB for the following reasons:

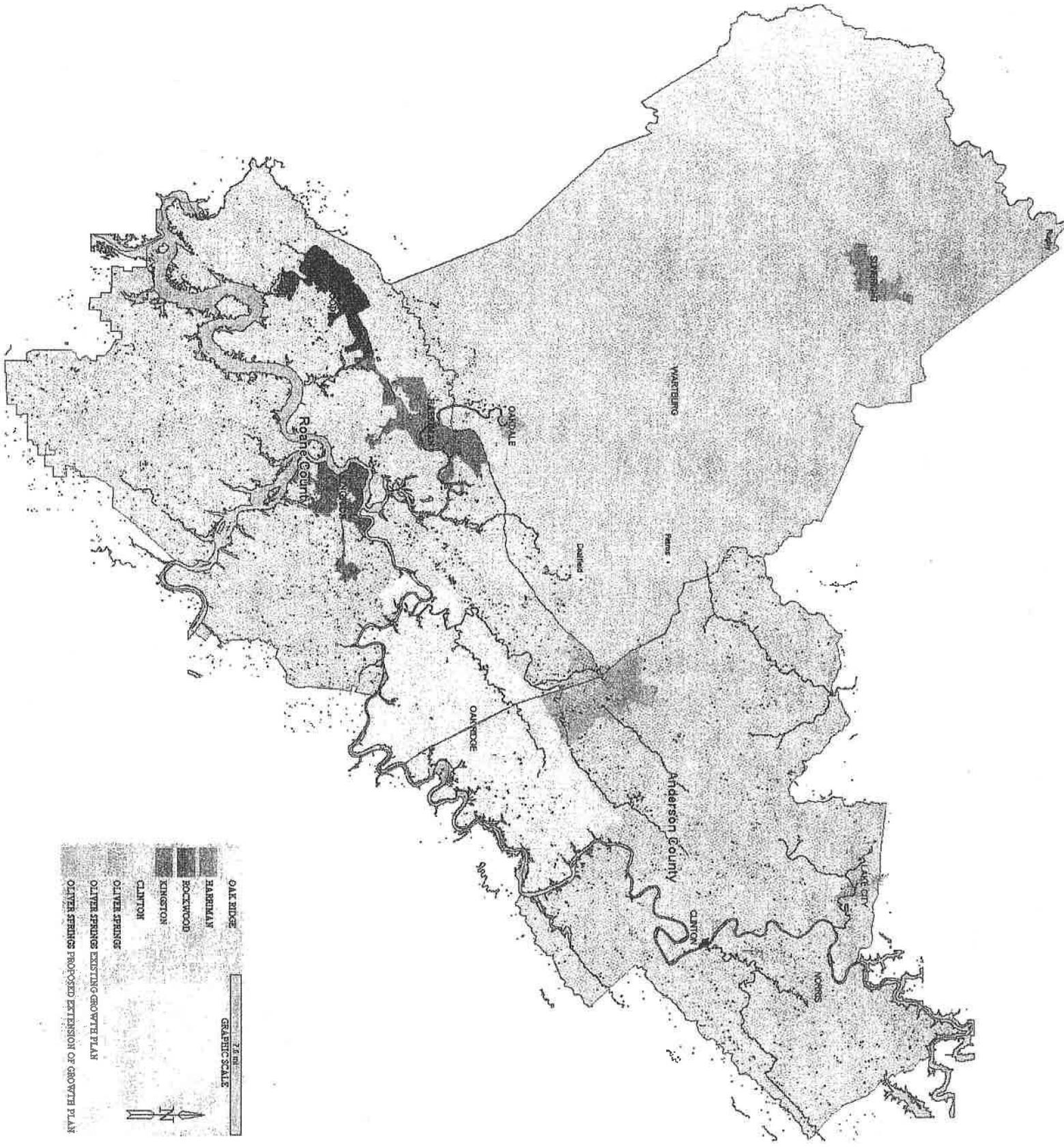
1. The territory proposed is reasonable in area.
2. The territory proposed is contiguous to the existing municipal corporate limits.
3. Public services are available in the area and provided by the Town of Oliver Springs.

Recommendation

It is the recommendation of the Local Planning Office, the Oliver Springs Planning Commission, and the Oliver Springs Board of Mayor and Aldermen, that the areas described in this report, and shown on the accompanying map titled "Oliver Springs Urban Growth Boundary", be included in the Town of Oliver Spring's UGB. This recommendation for additional land outside the municipal boundary is based on the ability of the Town to provide the public services needed to implement the development standards that will ensure orderly growth.

Endnotes

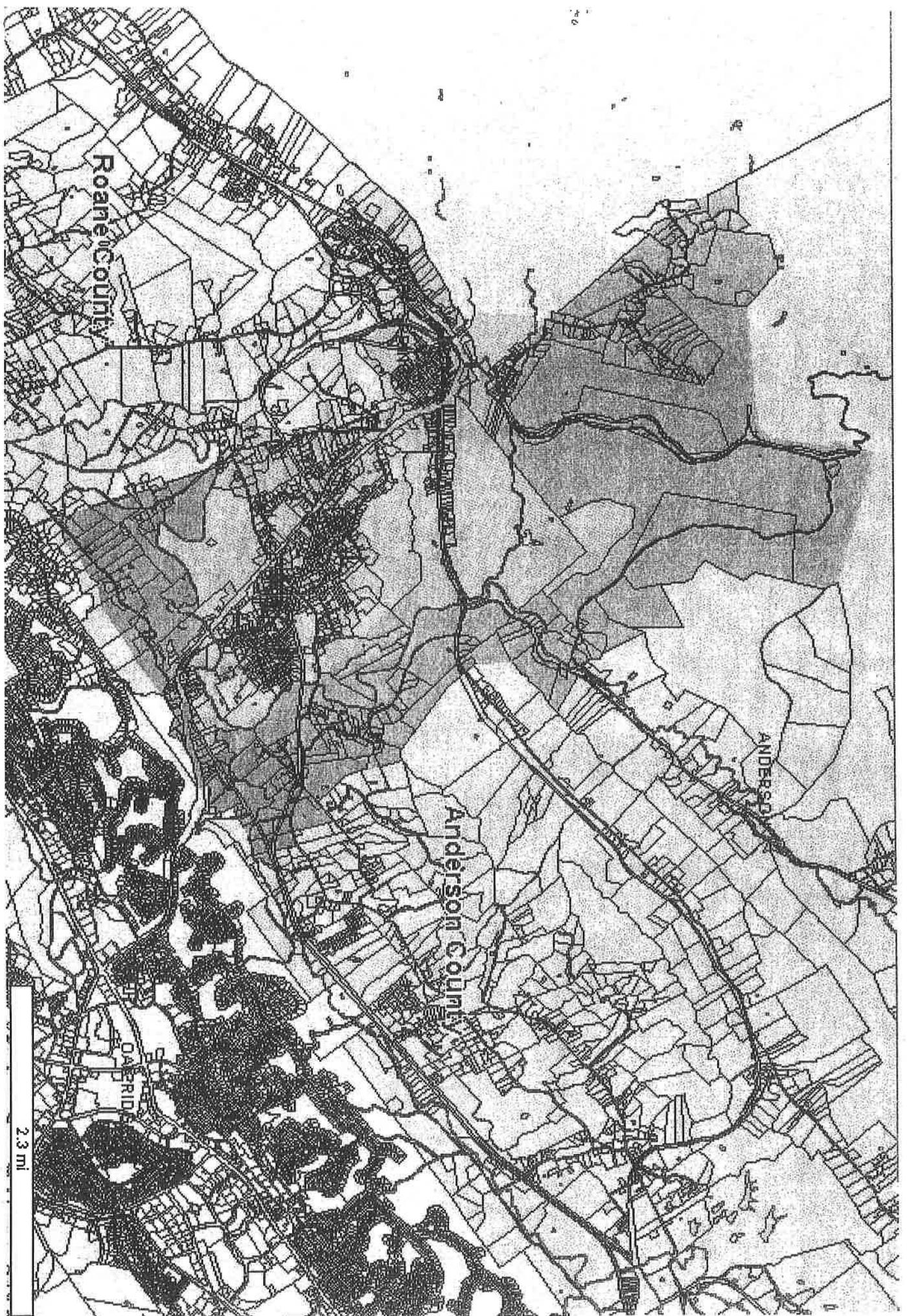
- ¹ Section 5(a), 1998 Public Chapter 1101.
- ² Section 7(a) (1), 1998 Public Chapter 1101.
- ³ 1990 Census of Population, U.S. Department of Commerce, Bureau of the Census, Publication 1990 CP-2-44.
- ⁴ Population Projections for Tennessee Counties and Municipalities 2000-2020, March 1999, Center for Business and Economic Research, The University of Tennessee, Knoxville, Tennessee.
- ⁵ Field survey and inventory conducted by the State of Tennessee, Department of Economic and Community Development, Local Planning Assistance Office.
- ⁶ Land use designations derived from field study and inventory completed by the Local Planning Assistance Office. Area calculations were derived from the City of Kingston base map, which is developed from Roane County parcel identification maps.
- ⁷ U.S.G.S. Windrock, Tennessee Quadrangle 7.5 Minute Series Topographic Map, 1969, Photo Revised 1975.
- ⁸ Flood Insurance Rate Map, Community Numbers 470005 0001-3, and appropriate panels of the following communities: Anderson County 470217, effective date May 15, 1980; Morgan County 470139, effective date September 1, 1978; and Roane County 470267 effective date September 30, 1980, published by the Federal Emergency Management Agency.
- ⁹ 1990 Census of Population, U.S. Department of Commerce, Bureau of the Census, Publication 1990 CP-1-44.
- ¹⁰ Information found in this section was provided by the Town of Oliver Springs.



7.5 MI
GRAPHIC SCALE

OAK RIDGE
HARRISMAN
POCKWOOD
KINGSTON
CLINTON
OLIVER SPRINGS
OLIVER SPRINGS EXISTING GROWTH PLAN
OLIVER SPRINGS PROPOSED EXTENSION OF GROWTH PLAN

N



Roane County

Anderson County

ANDERSON

OARRIDGE

2.3 mi

Council Meeting of March 16, 2006

The Board of Mayor and Council of the City of Lake City, Tennessee met at City Hall for the regularly scheduled meeting of March 16, 2006 at 7:00 P.M. with Mayor V.E. Wilson presiding. On roll call the following answered present:

Phillip Ray Duncan
V.E. Wilson

Clarence Houck

Michael Lovely

Absent: Timothy Sharp

Motion was made by Councilman Lovely, with a second from Councilman Houck to approve the minutes of February 16, 2006, motion carried unanimously.

Finance and Taxation:

Motion was made by Councilman Lovely with a second from Councilman Duncan to approve the following bills for payment:

Unlimited Fluid Power	2,750.00
N.A.C.U.D.	9,351.47
National Waterworks	1,234.55
Tomark Sports	681.77
GRW Elrod Dunson	3,255.93
Anthem Sports	2,952.60
National Waterworks	932.80
Copeland Bros.	1,350.00

Motion carried unanimously.

Motion was made by Councilman Lovely with a second from Councilman Duncan to approve a RoadBlock for VFW Post 6494 for April 29th, motion carried unanimously.

Motion was made by Mayor Wilson with a second from Councilman Lovely to approve the Growth Plan for Oliver Springs as presented by Mayor Wilson, motion carried unanimously.

Buildings, Grounds and Recreation:

Councilman Lovely reported that softball would be starting soon, and paving to begin next week.

Public Safety:

The Police, Fire, and Fine Collection Report for the month of February was read by Councilman Houck.

Motion was made by Councilman Houck with a second from Councilman Duncan to approve an 80 hours Hazardous Material Class, April 3rd through the 14th for Joe Gilliam, motion carried unanimously.

Streets and Sanitation: no report

Water and Sewer:

Motion was made by Councilman Duncan, with a second from Councilman Lovely to approve water board adjustments in the amount of \$59.00, motion carried unanimously.

There being no further business to come before Council, meeting adjourned at 7:35 P.M.

V.E. Wilson, Mayor

Jean Hayton, City Recorder

Edwin L. Kelley
Mayor

TOWN OF OLIVER SPRINGS

701 Main Street - P.O. Box 303
Oliver Springs, TN 37840

Phone (865) 435-7722 Fax (865) 435-4881

Joseph Van Hook
Judge - Recorder

Ramona Walker
Court Clerk/Finance Officer

Aldermen
Chris Hepler
John Chadwell
Omer Cox
Terry Craze
Paul Fox
James Brummett

F A C S I M I L E T R A N S M I S S I O N

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

ATTN: Rex

DATE: 6/9/06

PLACE: And. Co.

FAX #: 463-6877

TOTAL PAGES, INCLUDING COVER 2

COMMENTS: Mayor Sheppard faxed this, this morning
I hope this will clear this matter

FROM: Mayor Kelley

TELEPHONE: (865) 435-7722

FAX #: (865) 435-4881

WHEREAS, by Resolution 387, Clinton City Council ratified the Anderson County Growth Plan, as amended by the negotiations between the parties during mediation hearings; and

WHEREAS, the Town of Oliver Springs desires to annex a real property that will require an amendment to the Anderson County Growth Plan; and

WHEREAS, on March 7, 2006, the Anderson County Coordinating Committee approved a proposed change to the Urban Growth Boundary for the Town of Oliver Springs; and

WHEREAS, in accordance with Section IC, Item 4 of the guidance document entitled *Growth Policy, Annexation, and Incorporation Under Public Chapter 1001 of 1998*, recommended growth boundary changes must be submitted to county and municipal governing bodies to either ratify or reject the plan; and

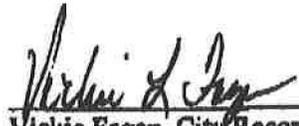
WHEREAS, the Mayor recommends adoption of the Anderson County Growth Plan 2006 Amended Version.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of City of Clinton that the recommendation of the Mayor is approved and the Anderson County Growth Plan 2006 Amended Version, as shown on the map prepared by the City of Oak Ridge GIS Department, dated March 6, 2006, is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

Approve this 15th day of May, 2006.

ATTEST;


Vickie Fagan, City Recorder


Mayor Winfred Shoopman

CITY OF
OAK RIDGE



OFFICE OF THE CITY CLERK
TELEPHONE (865) 425-3411

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

March 31, 2006

The Honorable Rex Lynch
Anderson County Mayor
Chairman, Anderson County Growth Plan
Coordinating Committee
100 North Main Street, Suite 208
Clinton, TN 37716

Dear Mayor Lynch:

Enclosed is a certified copy of Resolution Number 3-23-06 as unanimously adopted by the Oak Ridge City Council during its regular session on March 20, 2006. With the adoption of this resolution, the Council has ratified the *Anderson County Growth Plan 2006 Amended Version*, as delineated on the map provided by your office.

Please advise if any further action is required by the City of Oak Ridge.

Sincerely,


Jacquelyn J. Bernard
City Clerk

Enclosure

RESOLUTION

WHEREAS, by Resolution 4-64-01, City Council ratified the Anderson County Growth Plan, as amended by the negotiations between the parties during mediation hearings; and

WHEREAS, the Town of Oliver Springs desires to annex a real property that will require an amendment to the Anderson County Growth Plan; and

WHEREAS, on March 7, 2006, the Anderson County Coordinating Committee approved a proposed change to the Urban Growth Boundary for the Town of Oliver Springs; and

WHEREAS, in accordance with Section IC, Item 4 of the guidance document entitled *Growth Policy, Annexation, and Incorporation Under Public Chapter 1001 of 1998*, recommended growth boundary changes must be submitted to county and municipal governing bodies to either ratify or reject the plan; and

WHEREAS, the Mayor recommends adoption of the Anderson County Growth Plan 2006 Amended Version.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the Mayor is approved and the Anderson County Growth Plan 2006 Amended Version, as shown on the map prepared by the City of Oak Ridge GIS Department, dated March 6, 2006, is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This is the 20th day of March 2006.

APPROVED AS TO FORM AND LEGALITY:



City Attorney



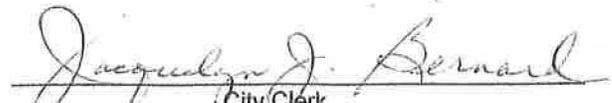
Mayor



City Clerk

I, Jacquelyn J. Bernard, certify that I am the duly qualified and acting City Clerk of the City of Oak Ridge, Tennessee, and as such official I further certify this document to be a true, correct and complete copy of Resolution Number 3-23-06 as adopted by the City Council of the City of Oak Ridge at a regular meeting held on March 20, 2006.

WITNESS my official signature and the seal of the City of Oak Ridge, Tennessee, this 31st day of March, 2006.



City Clerk

**RESOLUTION OF THE GOVERNING BODY OF NORRIS, TENNESSEE
RATIFYING THE OLIVER SPRINGS URBAN GROWTH BOUNDARY
AMENDMENT TO THE ANDERSON COUNTY GROWTH PLAN**

WHEREAS, the Town of Oliver Springs desires to annex a real property that will require an amendment to the Anderson County Growth Plan; and

WHEREAS, on March 7, 2006, the Anderson County Coordinating Committee approved a proposed change to the Urban Growth Boundary for the Town of Oliver Springs; and

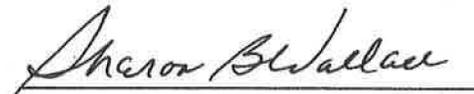
WHEREAS, in accordance with Section 1C, Item 4 of the guidance document entitled *Growth Policy, Annexation, and Incorporation Under Public Chapter 1001 of 1998*, recommended growth boundary changes must be submitted to county and municipal governing bodies to either ratify or reject the plan; and

WHEREAS, the Mayor recommends adoption of the Anderson County Growth Plan 2006 Amended Version.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORRIS, TENNESSEE;

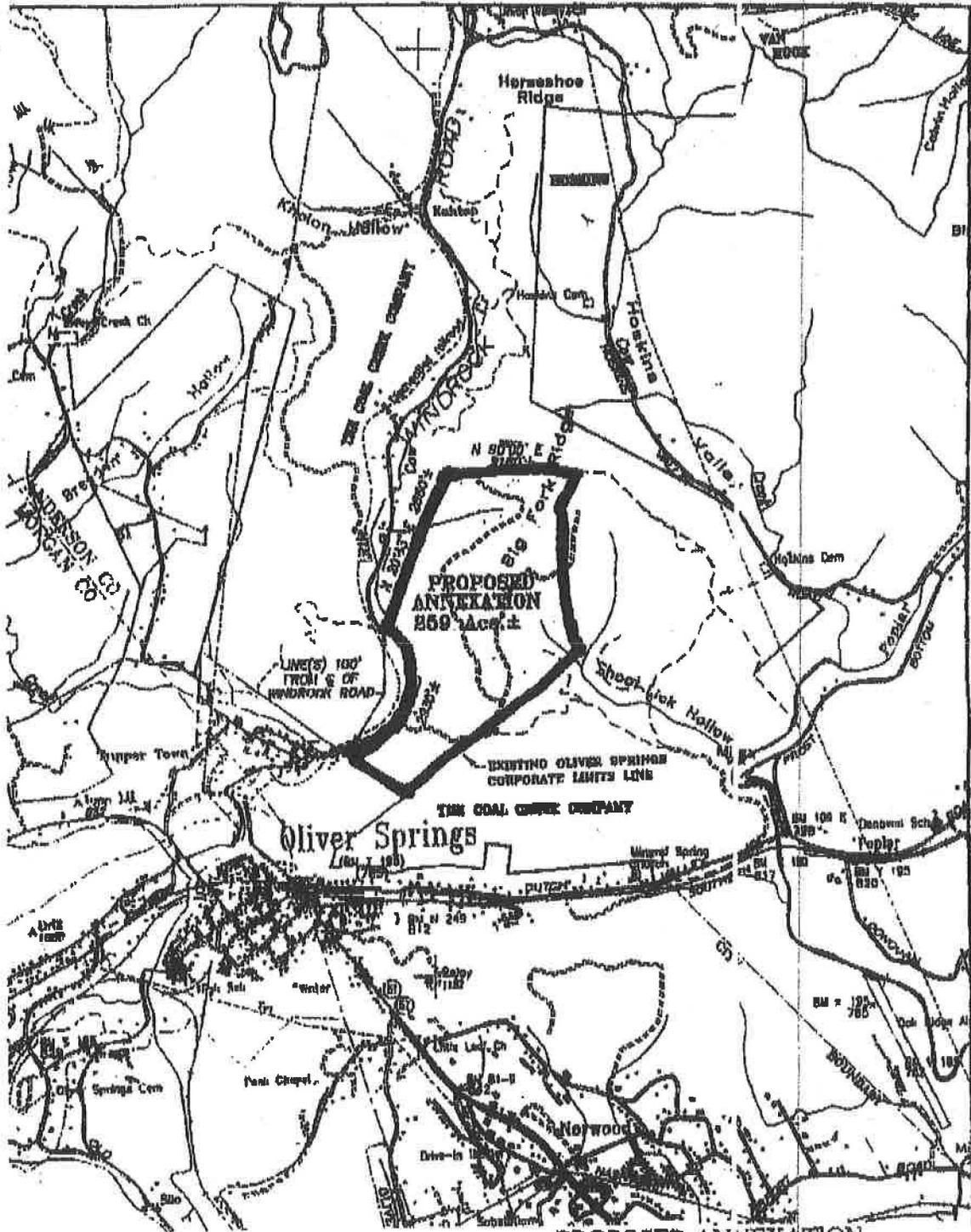
That the City of Norris expresses support and endorsement of the approved Anderson County Growth Plan 2006 Amended Version as shown on the map.

Duly passed and approved this 8th day of May, 2006.


Sharon B. Wallace, Mayor

ATTESTED:


Benny Carden, City Manager



NOTE: PROPERTY IS PART OF PARCEL 1 ON ANDERSON COUNTY TAX MAP 02.

**PROPOSED ANNEXATION
BIG FORK RIDGE CAMPGROUND
CITY OF OLIVER SPRINGS**

FIRST CIVIL DISTRICT - ANDERSON COUNTY, TENNESSEE

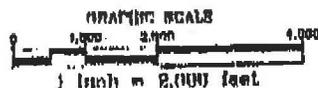
LEGEND

- APPROPRIATE PROPERTY LINE
- OLIVER SPRINGS CORPORATE LIMITS LINE
- EXISTING OLIVER SPRINGS CORPORATE LIMITS LINE

NOTE: GRAPHIC PREPARED FROM DIGITAL VERSION OF USGS WINDROCK 7.5 MINUTE QUADRANGLE.

SCALE: 1 INCH = 2,000 FEET
DATE: OCTOBER 18, 2005

DRAWN BY:
LACKEY AND ASSOCIATES, INC.
214 MAIN STREET
OLIVER SPRINGS, TN 37840
PHONE: (865) 435-7663



DRAWING NO. 05-1062

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 04-04 #246

**RESOLUTION TO AMEND THE URBAN GROWTH BOUNDARY FOR THE
TOWN OF OLIVER SPRINGS**

WHEREAS, the State of Tennessee pursuant to Tennessee Code Annotated (T.C.A.) §§ 6-58-101 et. seq. requires that all counties provide the State with a twenty year growth plan which details the annexation requirements and boundaries of the cities within the affected counties; and

WHEREAS, the existing growth plan was approved and ratified by Anderson County and the associated municipalities in March/April of 2001. Provisions are available in T.C.A. § 6-58-101 for the amendment or modification of urban growth boundaries (cities) or planned growth areas (county) after a 3-year period. In accordance with this provision, the Town of Oliver Springs requested (on December 22, 2005) that the Anderson County Coordinating Committee be reconvened to consider a proposed amendment of the existing UGB to include a parcel comprised of 259 acres that is owned by the Coal Creek Mining Company. This parcel is located adjacent to the current city limits to the northeast along Windrock Road. The property in question is Part of Parcel 1 on Anderson County Tax Map 62. The metes and bounds depicted on the attached drawing are in accordance with the survey conducted by Lackey and Associates, Incorporated (Drawing No. 05-1062); and

WHEREAS, Anderson County, Oak Ridge, Norris, Lake City, and Oliver Springs have followed the procedure mandated by T.C.A. § 6-58-101 et. seq. to amend the existing growth plan. Two public hearings were held by the Anderson County Coordinating Committee on February 27, 2006 and March 6, 2006 at the Oliver Springs City Hall in order to receive public comment and input regarding the proposed amendment to the existing UGB. At the conclusion of the second public hearing, a meeting of the Coordinating Committee was held to approve or reject the proposed amendment. Ten of the fifteen members of the committee were present constituting a quorum. A motion to approve the request was accepted and seconded and a roll call vote was conducted. The committee unanimously approved the request to amend the existing UGB boundary for the Town of Oliver Springs to include the aforementioned 259 acres; and

WHEREAS, the proposed amendment of the Oliver Springs UGB requires final ratification by the legislative body of each of the municipalities and the Anderson County Commission; and

WHEREAS, the County Mayor recommends amendment of the current UGB for the Town of Oliver Springs to include the stated 259 acres which will be included in the Anderson County Growth Plan; and

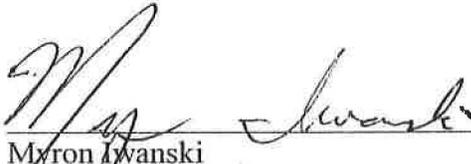
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE BOARD OF COMMISSIONERS OF ANDERSON COUNTY, TENNESSEE:

That the recommendation of the County Mayor and the Anderson County Coordinating Committee to amend the Town of Oliver Springs UGB is hereby ratified.

BE IT FURTHER RESOLVED that pursuant to this ratification of the stated amendment that the Anderson County Growth Plan will be amended to include an additional 259 acres in the Oliver Springs UGB to include the parcel of land in accordance with the metes and bounds stated in the survey completed by Lackey and Associates, Incorporated.

BE IT FURTHER RESOLVED that the County Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

RESOLVED, this the 17 day of April, 2006.



Myron Jwanski
Commission Chairman



Jeff Cole
Anderson County Clerk

APPROVED AS TO FORM ~~AND LEGALITY~~



David Clark
County Attorney



State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office

William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

MEMORANDUM

To: Local Government Planning Advisory Committee
From: Dan Hawk *DH*
Date: June 20, 2006
Subject: Anderson County Growth Plan Amendment – Oliver Springs Urban Growth Boundary Mail Ballot

County Mayor and Anderson County Coordinating Committee Chair Rex Lynch has certified an amendment to the Anderson County Growth Plan, Oliver Springs Urban Growth Boundary through correspondence dated June 16, 2006. Contained within Mayor Lynch's request for Local Government Planning Advisory Committee approval is all required documentation including municipal and county resolutions ratifying the amendment, documentation from the City of Oliver Springs supporting the amendment and a map indicating the current corporate boundary that indicates annexation of the original urban growth boundary as well as the new urban growth boundary. I have reviewed the material and find it to meet the Committee's requirements for submission and sufficient as required by Tennessee Code 6-58-107.

As we discussed at the last Committee meeting in April, the terms of four Committee members expire on June 30 leaving the Committee without a quorum and the necessary four votes to approve this request until new appointments are made and the new members have been oriented. It is entirely possible that the Committee may not be able to hold the July 26 meeting pushing approval of the Anderson County request back to the October meeting. After discussing the need to hold a meeting with Committee Chair Kathryn Baldwin and with ECD General Counsel Stephanie Tisdale, I have determined that the Committee can approve this request by mail ballot without the travel time and cost to meet in Nashville for one item that the Committee is required by Tennessee Code 6-58-104 to approve. This is an unusual situation because of the term expirations this year and I would not request approval by mail ballot if the request was not in order or if the Committee had the discretion to deny the Anderson County amendment.

I have enclosed a resolution and ballot, and recommend that you approve the Anderson County Growth Plan amendment to the Oliver Springs Urban Growth Boundary. Please return the ballot as soon as possible but no later than Friday, June 30, 2006.

Please feel free to contact me at (615) 741-2211 if you have questions or comments you would like to discuss before you vote.

DH/jw

cc: Commissioner Kisber
Assistant Commissioner Barker

MINUTES

The regular meeting of the Oliver Springs Town Council was called to order on December 15, 2005, at 7:00 p.m. by Mayor Ed Kelley. All were present.

The meeting was opened in prayer by City Recorder Van Hook.

Motion by Brummett and second by Craze to approve the minutes of the previous meeting as presented with the amendment to the minutes and the resolution that Pizza Hut and Hardees supplied food and beverages to the emergency workers during the storm clean up. All voted aye.

COMMENTS FROM CITIZENS

Mrs. Mimi Brock of 217 Forest Road thanked all of the employees, elected officials, and others of the Town of Oliver Springs for helping plan and work Christmas in the City. Although the rain and very cold weather reduced attendance, all who were in attendance enjoyed the festivity. The Mayor advised that he also had heard good comments about this activity.

COMMENTS FROM COUNCIL

The Mayor opened discussion by thanking Bonnie Ivey, Denae Stocksbury and every person that helped with or participated in the Christmas Parade for doing an outstanding job. The Mayor thanked Mimi Brock and Joyce Hepler Fox and the Historical Society for Christmas in the City. The Mayor offered congratulations to Alan Lively and Randy Campbell for passing their Grade III test for water plant operator certification. The Town now has four certified plant operators. The Mayor advised that the City offices will be closed for the Christmas holidays on Friday, December 23, 2005 and Monday, December 26, 2005.

The Mayor announced that he has signed the low paving bid with Ralph Rogers and the paving is beginning at this time, weather and supplies permitting.

The Mayor advised that each councilman had received the water department budget in their packet. After a brief discussion, it was agreed that each councilman would review the water department budget and the budget would be placed on the agenda for the next Water Board meeting.

Mr. Chadwell asked and the Mayor advised that the patching and paving of the City streets has begun. Mr. Chadwell asked about the problem on the Sleepy Hollow Road, and the Mayor indicated that he would check into this problem and repair it as soon as possible, weather and supplies permitting.

Mr. Chadwell also observed that the Oliver Springs Police Department had conducted in-service training over the past several weeks, and that Oliver Springs Police Department Officer Tim Elmore did a very good job in his presentation.

Mr. Cox read a prepared statement as follows:

This week I attended two funerals. I was very saddened by both as they were special people. Mrs. Addie Lawson was a neighbor and Mrs. Grace Deaderick was my first school teacher. (Recorders note: Grace Deaderick was also the Recorder's third grade teacher, and the Recorder agrees with the comments of Mr. Cox.) Mrs. Deaderick left an impression on me that made me a better person. I wish everyone could have learned from her knowledge, her patience, and her genuine concern that she had for her students. If they had, this place would be a better place. She was such an asset to this community and its schools. If you were ever taught by her you know what I mean. A very special person, she will be sadly missed by many. Mrs. Deaderick was probably the most

gracious, stern, compassionate, and dignified person that I have ever known. Martha (her daughter), you and your family are in my prayers. Wilburn, William, and all the Lawson family, you also are in my prayers. Your Mother will be missed by her community and many more I am sure.

There was no police support for the funeral of Mrs. Grace Deaderick on December 14, 2005 Wednesday. While there probably are some valid reasons for a lack of support, it did create some havoc and a lot of danger as a lot of folks tend to ignore a hearse and cars with funeral flags on them, at least this was the case on Wednesday between 2:47 and 3:00 p.m. as the procession entered Tri-County Blvd., and crossed the right lane to get into the left lane going toward Oak Ridge traffic going in the same direction that was on the road already ignored all signs of a procession and cut through splitting the procession at this time it became a mixture of vehicles throughout the procession one with funeral others trying to pass on right to get to wherever they were going without delay. I attempted to block traffic by my conversion van was no deterrent for those that were determined that they were not going to be delayed by this slow down in traffic. It got worse as the left turn on Highway 61-62 was attempted seems as those heading toward Oliver Springs were not going to be delayed by a funeral procession either. One car in the right lane tried to hold traffic but when light changed to green the left lane proceeded splitting the funeral procession again. While most of the people observed courtesy for funeral processions, that was not the case on Wednesday. For those of you who ignored the funeral procession I hope you take the time to reflect on your selfishness and complete disregard for the family and the deceased person going to her final resting place. I hope if you have a tragedy/death in your family that the majority of the people will show you and yours the respect that they deserve.

After extensive discussion, motion by Cox and second by Chadwell to authorize the Oliver Springs Police Department, in its discretion and using good judgment based upon all the facts, circumstances, manpower, times of request, and responsibilities then and there existing, to escort funeral processions. All voted aye.

Mr. Cox advised that he had reviewed the library report and that Sue St. John was doing a good job.

Mr. Fox commented how beautiful the Town is during this Christmas season when all the Christmas lights are glowing. The Christmas trees, house lights, light pole decorations, other decorations, and the festivities are very beautiful. Whoever did the lighting did a good job and needs to be commended.

Mr. Fox advised that a safety hazard existed on Carl Lane off Midway Drive which needs to be fixed and the Mayor said he would fix it tomorrow, weather and supplies permitted.

Mr. Fox opened discussion, and several others joined in, about the activity reports provided to Town Council members by the Oliver Springs Police Department. After extensive discussion, it was decided that if Town Council members wanted a weekly activity report, they would each receive a report several inches thick. Police Chief Morgan advised that if any Council member wanted a report, the computer software will store in memory the data for fourteen days. Therefore, any report that may be needed can be obtained for the prior fourteen days. Any data or report outside this fourteen day window is not available. Mr. Hepler suggested that Chief Morgan print out two police reports at random and put them in the Councilman members packet for review. Provided however, the Council still would have the right to receive any copies of any police reports that each may desire to review.

Mr. Fox requested that Chief Morgan place a notation on the monthly police department report as to any police officer who might be on vacation, sick, in school, or otherwise not working

during the monthly reporting period.

OLD BUSINESS

None.

NEW BUSINESS

Motion by Fox and second by Hepler and Chadwell to award the paving contract to the low bid of Ralph Rogers and to authorize the Mayor to sign the contract. All voted aye.

The Mayor advised that he had been in negotiation with Amerivox Telephone Company and Amerivox Telephone Company can offer a local service to the Town of Oliver Springs for a savings of \$3,674.00 per year. The current provider, Birch Telecom, charges \$751.00 per month. Amerivox would charge approximately \$528.00 per month. After further discussion, motion by Hepler and second by Graze to authorize the Mayor on behalf of the Town to determine if there will be any exit fees owed to Birch Telecom, and if not, execute a short term contract with Amerivox Telephone Company. This passed 5-1, Mr. Brummett voting no.

Upon recommendation by the Mayor, ~~Mr. Brummett~~ and second by Chadwell to direct the Mayor to continue to pursue, and to ratify the work that the Mayor has done to date, regarding the annexation of the Coal Creek property; the annexation of certain properties on Old Harriman Highway within the existing Oliver Springs Growth Plan; and to modify by enlarging the existing Oliver Springs Growth Plan by working with the officials of Roane County, Morgan County, Anderson County, and the towns and cities therein. This passed 5-1, Mr. Cox voting no.

Mr. Chadwell read the following statement:

To the Mayor, citizens, employees of the City of Oliver Springs, fellow Council members. I would like to take the time to tell you how much I have enjoyed serving you and serving with each of you this past year. I wish each and every one of you a very Merry Christmas and a prosperous, glorious, New Year. I look forward to serving each of you in the coming year. May God bless each of you, our Town, and most of all God bless America, its leaders, and our armed forces.

With no further business to come before the meeting, the meeting was upon motion duly made, seconded, and unanimously passed, adjourned at 7:40 p.m.

Respectfully submitted,

Joseph H. Van Hook
City Recorder

Approved:

Ed Kelley
Mayor

**REMINDER!!!!!!!!!!
PUBLIC HEARING**

AT 6:00 P.M.

**FOR POSSIBLE
ANNEXATION.**

Those in Attendance

<i>Emm Cox</i>	<i>Josephus Smith</i>
<i>Martin J. Gray</i>	<i>Jim Hepler</i>
<i>Edwin S. Kella</i>	<i>Ed Snow</i>
<i>Chuck Whitcher</i>	<i>James Holgren</i>
<i>Eugene Larkway</i>	
<i>Gene Child</i>	
<i>Pex Lynn</i>	
<i>Judy Cross</i>	
<i>Jindy N. Simpson</i>	
<i>Walter Allen</i>	
<i>Ken Morgan</i>	
<i>Charles R. Tichy</i>	
<i>John Hartman</i>	

MINUTES

The regular meeting of the Oliver Springs Town Council was called to order on November 3, 2005 at 7:00 p.m. by Mayor Ed Kelley. All were present.

The meeting was opened in prayer by City Recorder Van Hook.

Hollon by Graze and second by Brummett to approve the minutes of the previous meeting as presented with the correction that Mr. Cox "commented that over the past hundred (not over the past several months) years, we had lost several outstanding citizens". Mr. Cox also advised that under item seven, Mr. Cox (not Mr. Brummett) advised that the Harriman-Wartburg street signs are down. The Mayor advised that he had issued a work order for the repair of this sign. All voted aye.

COMMENTS FROM CITIZENS

None.

COMMENTS FROM COUNCIL

Mr. Chadwell asked and the Mayor advised that water samples had been taken from the pond in the Sleepy Hollow area and when the sample analysis is returned, the Building Inspector will write a citation to the owner of the pond for any appropriate violations.

Mr. Chadwell asked and the Mayor advised that the roads in the Sleepy Hollow Subdivision are generally in good shape, but the City will be doing some pavement patching before cold weather in the Sleepy Hollow area.

Mr. Chadwell advised that Police Department Officers Humphrey and Letner, and Chief Morgan, came to the Norwood Schools and put on a drug dog performance for the students. The students enjoyed it very much and learned a lot. The students seemed to have an increased respect for the police department. The Mayor advised that these officers also went to the Petros-Joyner school and put on the drug dog presentation.

Mr. Hepler asked if Haven Road was on the repair list and the Mayor advised that he intended to make these repairs.

Mr. Hepler advised that at 6:40 a.m. several days ago the Ford Explorer motor vehicle owned by the City passed him at Hill Top in Oak Ridge and turned onto West Outer Drive. Mr. Hepler asked why the City vehicle was out of Town at that hour. The Mayor advised that two employees had traveled to Murfreesboro to take the water plant operator three exam, and one of the employees lives on West Outer, and that was the reason the City vehicle was in that location. The employees took the City vehicle to Murfreesboro for the exam.

Mr. Hepler advised that if the Town was not going to use the dirt on the exit ramp near Harvey's Furniture Company, then the dirt needed to be moved and used elsewhere. The Mayor advised that the dirt was going to be used for further landscaping, but it may be Spring before this is accomplished due to the weather.

Mr. Cox advised that the dirt fill on Daugherty Road-Butler Road looks great. He asked and the Mayor advised that the "No Dumping" signs are in the office and will be installed shortly.

Mr. Cox advised that an individual had called about placing a "slow children at play" sign in Sleepy Hollow". Mr. Chadwell said he had been contacted by any individual, but the area needed a sign. The Mayor said he would place a sign in that area.

Mr. Cox advised that he had read the police evidence locker material provided by Councilman Chadwell, and he recommended that the City Council members review this evidence locker procedure ordinance, the evidence locker procedure ordinance currently being used, and other information, and pass an evidence locker procedure ordinance that would require two individuals to co-sign as to the handling of the evidence and the other procedures.

Mr. Cox advised that he had attended the Melton Hill Regional Industrial Development Agency meeting on November 2, 2005, and reported that MHRIDA was:

- A. Working with four companies considering buildings and signs in Anderson County;
- B. Hoosier Tire Company had purchased a 3.5 acre site in the I-75 Industrial Park and will construct a 12,000 square ft. distribution center for racing tires;
- C. Marketing the several buildings and properties in inventory attempting to get companies to locate in the area.
- D. Working with several existing industries as far as expanding the existing industries.

E. Attending numerous meetings and functions dealing with industrial and economic development.

Mr. Cox advised that it would change its name shortly to the Anderson County Regional Industrial Development Association, and that it appeared to be using its best efforts to locate industries in the area.

Mr. Fox advised that the Town Council will most likely consider the sign ordinance in the immediate near future, as it was pending in the Planning Commission.

Mr. Cox advised that the Handbook is ready to submit to H.T.A.S. for editing in order to insure that the Handbook will be simple and easy to read. Several members on Council encouraged Council members to review and edit the Handbook wherein it would be simple and easy to read, and also have no redundancies or conflicting provisions.

Mr. Fox requested that the city streets which need to be paved be identified, and the amount of cash available to pave be identified. The Mayor advised that he would get a price estimate and work up a draft street paving list which would be discussed at a future workshop.

Mr. Fox asked and the Mayor advised that Mr. Joe Galloway, who assists the Town for land property assessment, is still be paid a salary for one-half of the 2005-2006 fiscal year, as it was determined that his services would be needed for only six more months in this fiscal year. In other words, his last check will be for the month of December, 2005.

The overtime by the Police Department was discussed. The Mayor advised that several officers had been off 16 hours for school and had been off 68 hours sick, and Chief Morgan had made up this time with only 23 hours of overtime, which was an outstanding job.

The Mayor advised that the Town needed to have a workshop to interview for the water department employee.

The Mayor advised that he would collect the information needed to discuss the paving of the city streets, and then have the city

secretary schedule a workshop for the council members.

The insurance coverage was also discussed.

OLD BUSINESS

None.

NEW BUSINESS

None.

With no further business to come before the meeting, the meeting was upon motion duly made, seconded, and unanimously passed, adjourned at 7:30 p.m.

Respectfully submitted,

Joseph H. Van Hook
City Recorder

Approved:

Ed Kelley
Mayor

TM#9/11-3-05

Edwin L. Kelley
Mayor

Joseph Van Hook
Judge - Recorder

Autona Walker
Court Clerk/Finance Officer

TOWN OF OLIVER SPRINGS
701 Main Street - P.O. Box 303
Oliver Springs, TN 37840

Phone (865) 435-7722 Fax (865) 435-1881

Aldermite
Chris Hef
John Chad
Dimit Co
Terry Cr
Paul For
James Bru

October 19, 2005

The Town of Oliver Springs will hold a public hearing on November 3, 2005, and November 17, 2005, at 6:00 p.m. in the Town Hall to discuss the utility plan for possible annexation for the following.

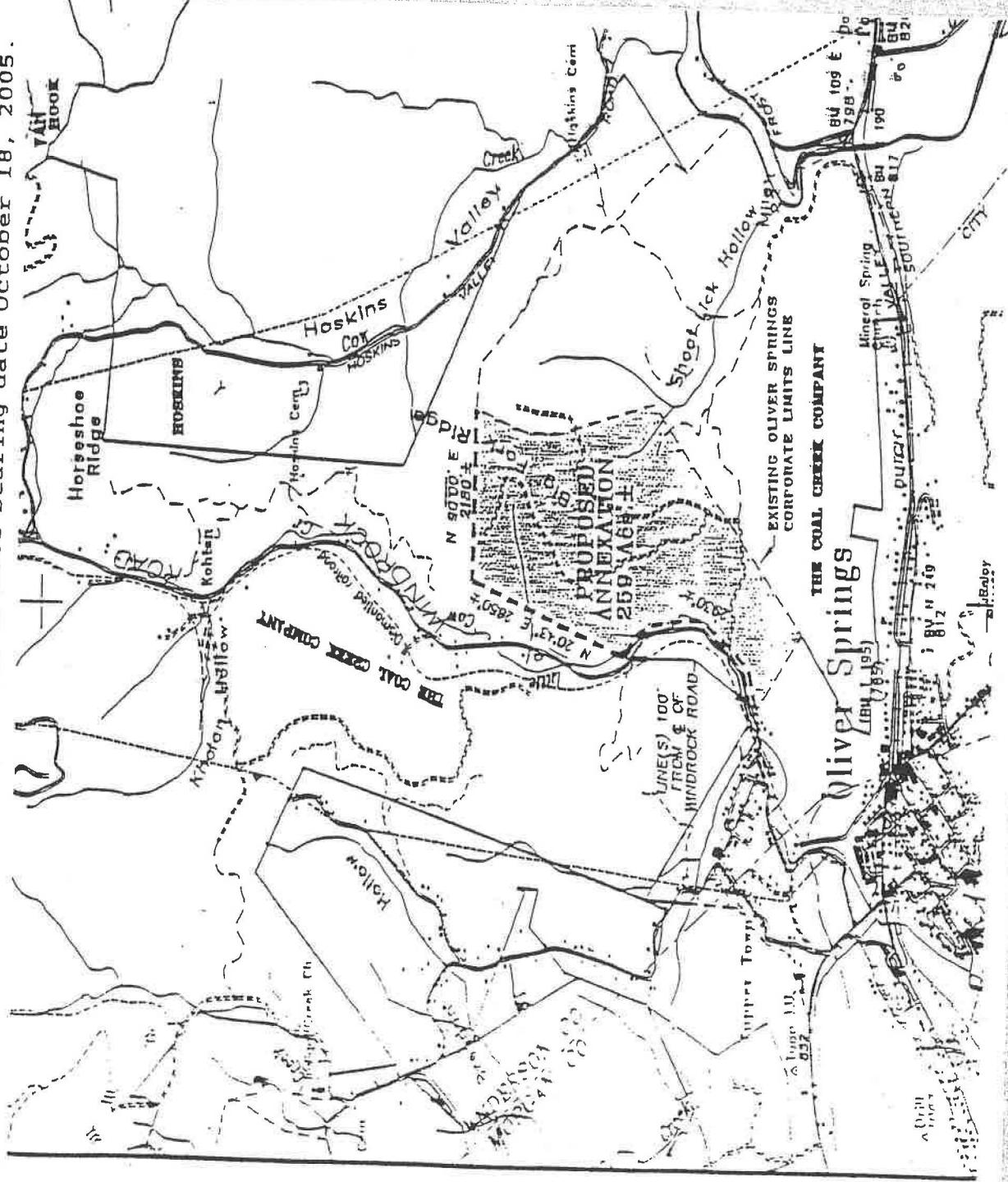
All interested parties are invited to attend the discussion.

Mayor Edwin L. Kelley

OLIVER SPRINGS, TENNESSEE
DESCRIPTION FOR ANNEXATION OF OCTOBER, 2005

Beginning at a point in the existing Corporate Limits Line for Oliver Springs, Tennessee, which point is located on the easterly side of Windrock Road at a distance of 100 feet as measured perpendicular from the center of existing roadway for said Windrock Road; Thence, along the easterly side of Windrock Road in a northeasterly direction and curving to northerly and then northeasterly direction along a line 100 feet from and parallel or concentric with the center of existing roadway for Windrock Road for a distance of approximately 2,930 feet to a point; Thence, with a line bearing North 20deg 43min East for a distance of approximately 2,650 feet to a point; Thence, with a line bearing North 00deg 00min East for a distance of approximately 2,180 feet to a point in the existing Oliver Springs Corporate Limits Line; Thence, along the existing Oliver Springs Corporate Limits Line in a southerly, then southwesterly, then northwesterly direction to the point of beginning. containing approximately 259 acres.

The above as shown on a graphic prepared by Lackey and Associates, Inc. of 214 Main Street, Oliver Springs, TN 37840 and being designated as Drawing Number 05-1062 bearing date October 18, 2005.



PUBLIC HEARING

The public hearing was called to order on November 3, 2005 at 6:00 p.m. by Mayor Ed Kelley after posted and published notice to discuss the annexation of and the utility plan for the possible annexation of approximately 259 acres owned by Coal Creek Mining and Manufacturing Company located on the Easterly side of Windrock Road contiguous to and outside the City limits of Oliver Springs.

The Mayor advised that Coal Creek wanted to create a campground to serve the four-wheeler tourists and other tourists who come to the area. This campground would begin with 21 cabins, thirteen tent sites, ten standard back-in sites, ten long term back-in sites, twelve standard pull-through sites, and six long term pull through sites, for a total of 61 campsites. If this area is annexed, the Town if would provide the water and sewer service, police and fire protection, and other municipal services to this area.

Approximately twenty people were in attendance, and the Mayor passed around an attendance sheet for those in attendance who desired to sign. A copy of the posted and published notice and the attendance list is on the back page of these minutes.

Mr. Chuck Wicker on behalf of Coal Creek Mining and Manufacturing Company and Surveyor Gene Lackey were present. Mr. Lackey presented a very large map showing the footprint of the campground, including the various cabins, campsites, roads, and other items.

Ms. Patton spoke and objected to the campground for several reasons, but the Mayor advised that as far as the traffic, fire potential, and the disturbances, this can be better handled by the Oliver Springs municipal services which would be much closer as compared to the Anderson County services, which would be several miles away.

Councilman Cox asked Surveyor Lackey about Windrock Road near the campground, and Mr. Cox and Mr. Lackey examined the large map and Mr. Lackey answered Mr. Cox's question.

The Mayor called for additional comments. Having no additional comments, the Mayor declared the public hearing adjourned at 6:30 p.m.

Respectfully submitted,

Joseph H. Van Hook
City Recorder

Approved:

Ed Kelley, Mayor

TM#9/11-3-05

~~PUBLIC HEARING~~

The public hearing was called to order on November 17, 2005, at 6:00 p.m. by Mayor Ed Kelley after posted and published notice to discuss the annexation of and utility plan for the possible annexation of approximately 259 acres owned by Coal Creek Mining and Manufacturing Company located on the Easterly side of Windrock Road contiguous to and outside the City limits of Oliver Springs.

The Mayor advised that Coal Creek wanted to create a campground to serve the four-wheeler tourists and other tourists who come to the area. This campground would begin with 21 cabins, 13 tent sites, 10 standard back in sites, 10 long term back in sites, 12 standard pull through sites, and 6 long term pull through sites; for a total of 61 camp sites. If the area is annexed, the Town would provide the water and sewer service, police and fire protection, and other municipal services to this area.

There were approximately 21 citizens in attendance, and a list of those who signed the attendance roll as shown with these minutes. There were several other citizens in attendance who did not sign the roll.

The Mayor next opened the meeting for public comments.

Mrs. Rachel Patton asked how the Oliver Springs Police Officers would patrol the Coal Creek area. The Mayor advised that the Police Officers will do as good of job as possible and will handle any calls. The Fire Department will do as good of job as possible and will respond to any calls. The Police Officers and Fire Department will keep "law and order".

Mr. Cox advised that he has had problems with someone on a four-wheeler and will be videcing them and does not want them on the road.

Mayor Kelley advised that the Town does not have a law that says four wheelers can be on the road. However, it is possible that City Council would consider an ordinance to allow them to go to gas stations.

Surveyor Eugene Lackey requests that the property be annexed, and advises that in his opinion, it would be a positive accomplishment for the City.

Mayor Kelley advised that if the Town did annex the property, the Town would be able to enforce the laws and ordinances in the annexed area. Mayor Kelley recommended that the area be annexed as it will benefit the tax base for Oliver Springs in the area.

Councilman Omer Cox of Ward Three, presented the following statement. This hearing was held as required by statutes, charters, and laws. Due to the lack of public opposition the annexation will pass without a doubt in my mind. I would have no objection to this annexation if it benefited the local public more; the amount of taxes we will receive will not pay the cost of maintaining the road, monitoring the traffic, and the new facility. This benefits only the keepers/owners of the property and those who wish to use off road activities as their past time and entertainment. The local people, who live in the area and will have to put up with the traffic and noise etc., are the only people that will be bothered by this project. This will be here forever so your grandkids will never know the peaceful atmosphere that we once enjoyed here in North Oliver Springs, Piedmont Kotam, and upper and lower Windrock. We have already seen the beginning of the devastation to our environment as this picture taken behind my house on November 16, 2005 at 3:30 p.m. shows, even when the strip mines were in full swing, Indian Creek did not get this muddy until the creek reached the flood stage. Usually after two

he thinks the Town can annex the property without having to hire additional firemen or policemen.

The Mayor called for any additional comment, and having none, the Mayor adjourned the meeting at 6:25 p.m.

Respectfully submitted,

Joseph H. Van Hook
City Recorder

Approved:

Ed Kelley
Mayor

TW#9/11-17-05

or three days of hard rains. It now becomes muddy after any rain that increases the stream flow. It usually starts clearing the day the rain stopped, and the water level started receding. As of today, the creek is still as muddy as yesterday.

I would like to see a copy of the environmental impact statement/study for the projected use of this land if it is annexed. Although it is not in the jurisdiction or control of this Town, I would also like to see the environmental impact study/statement of the present facility at the Windrock location. I did not see one when the operation was approved by the state and county.

I suspect that six out of seven sitting by me at this table tonight think that this is a great project and it should be expedited to get it up and running. I just wondered how your feelings about it would be if you lived in this area. Those of you who live in the Norwood area should have very few problems with the traffic, noise, or a beautiful scenic area turned into ditches as it is on Windrock now.

Mr. Whicker of Coal Creek Mining and Manufacturing Company said his survey of 350 off road riders in the Spring should they all wanted a campground and RV park. I would be surprised if any of them would not want some place they can go and do something that can only be done off-road, and not located in their backyard, and they can go back to the place of their residence and be away from all the noise and traffic etc., until they decide they want to participate in off-road activities again. I suspect if I ask 350 people who liked ice cream if they would like to keep it available for them to eat when they wanted it and they would all probably say yes. So if Mr. Whicker asks 350 non off-road riders the same question, I suspect he would have some negative reply. It would be interesting to hear their answers.

I hope I do not make any enemies by the position I have taken on this issue. In fact, I hope Mr. Whicker and I can become friends. I am not against progress but I am against things that do not benefit the majority of the local residents and I feel damages the environment.

Jesse Haney asked how many home owners the annexation would affect and Mayor Kelley advised that there is only one house on the area, which is actually owned by Coal Creek. Mr. Haney asked and the Mayor advised that the owner of the house (Coal Creek) asked for the property to be annexed, and the tenant who lives in the house has no objection to the annexation.

Chuck Whicker, the field agent for Coal Creek, stated that many individuals have asked for the campground area and the annexation.

Herb Fritts, Vice President of Windrock ATV Club, advised that a trail will be cut from the campground to the parking lot. This will help the area with four-wheeler traffic. Mr. Fritts advised that there were several in attendance from the Windrock ATV Club, and that all of the members of the Windrock ATV Club supported the annexation, and eight individuals in attendance indicated they supported the annexation by raising their hand.

Bob Garrett advised that he thinks the four-wheeler problem on the roads is not from the Coal Creek tourists population, but rather several local individuals who live in the area. Mr. Garrett advised that he has seen four-wheeler parks and attractions benefit other towns, cities, and areas.

Mayor Kelley advised that the Windrock ATV Club had been very good organization in the past. The Mayor indicated that

David C. Olsen

David Rose

Blenda Reese

Debra J. Smith

Chiffre

Cheryl Surman

David LeMark

Janet Greene

Janet King

Robert Vann

Cindy Dimpson

Yvonne S. Haney

ROBERT (BOB) GIBBERT

Richard Patton

Ann Cox

Ed. Kelly

Eugene Lachey

Chuck Wilcher

Erin Rea

Karen A. Simpson

Joseph W. Wainwright

MINUTES

The regular meeting of the Oliver Springs Town Council was called to order on April 20, 2006, at 7:00 p.m. by Mayor Ed Kelley. All were present except John Chadwell and Chris Hepler, who had excused absences.

The meeting was opened in prayer by City Recorder Van Hook.

Motion by Fox and second by Cox to approve the minutes of the previous meeting as presented. All voted aye.

COMMENTS FROM CITIZENS

Mr. John Sublett, the General Manager of Scandlyn Lumber Company of Rockwood, spoke and announced that he is a candidate for the Roane County Mayor, and thanked all for the opportunity to speak, and requested that all support him with their vote.

COMMENTS FROM COUNCIL

Mr. Cox asked about the power pole work at the Norwood School (with its sagging power lines crossing the four lane) on Saturday night, and the Mayor advised that the pole had rotted and had had to be replaced. Mr. Cox observed that a great number of First Responders and fire fighters had responded, and to have reduced the number of emergency personnel needed, and in view of the fact that much of the traffic could not get under the sagging power lines, the traffic should have been re-routed around Strutt Street to Bennett Road. The Mayor advised that the fire department was having a drill meeting across the street at the Norwood Fire Hall, and when dispatched, all responded. In addition, past experience has shown that when traffic is routed along Bennett Road and Strutt Street, many times large, long, and heavy tractor trailer trucks will get stuck in the ditches and have to be pulled out, and create additional traffic problems. Certainly this was a difficult situation that was handled as best as it could have been under the circumstances.

Mr. Cox commented that the Spring Clean Up went very well. The Mayor advised that 480 cubic yards of junk and material had been picked up by the Town crews.

Mr. Fox advised that Stewart Lane has no stop sign as it enters Maple Street. After discussion, the Mayor advised that he would look into the problem.

Mr. Brummett advised that he has received information that small children are laying on and playing around the railroad tracks under the Tri-County Blvd. by-pass at Spring Street and Railroad Avenue. This obviously could create great problems if the children are playing or laying on the train tracks when a train comes. The Mayor advised Police Chief Morgan to patrol the area and if necessary report this problem to the Department of Human Services where it might possibly be resolved.

The Mayor indicated that on Friday he will have a meeting with the assistant Fire Chief regarding the fire department.

The Mayor advised that he has received a report from Police Chief Morgan that based upon the Tennessee Bureau of Investigation statistics, the crime rate is down sixty-eight per cent in Oliver Springs. The Police Department has done a good job.

The Mayor advised that the Water Department is short one employee although the Water Department may be able to continue to operate under-staffed with good management. The Street Department has one employee out on workmans comp leave. The Mayor

has reviewed the employee evaluation reports and stated that all the city employees have worked long and hard this year. The Mayor believes that there is money in the budget, and he supports and recommends a merit pay increase retroactive to January 1, 2006, for city employees in some fashion to help with the rise in the cost of living.

The Mayor scheduled a workshop for April 27, 2006 at 6:30 p.m., subject to the availability of Paul Fox, to discuss employee pay raises and any other business that may be appropriate.

OLD BUSINESS

The Mayor advised that he had meet with Anderson County Commissioner Jerry White and Anderson County Mayor Rex Lynch as to the Highway 61 annexation lawsuit. After extensive discussion, and upon recommendation by the Mayor, motion by Cox and second by Craze, in order to resolve all matters in controversy, and in order to end the legal expense and other expense to both Oliver Springs and Anderson County, and in order to dismiss the annexation lawsuit with prejudice, the Town hereby de-annexes 2506 Oliver Springs Highway; 1515 East Tri-County Blvd.; 1521 East Tri-County Blvd.; 146 Old Evacuation Lane; 1137 East Tri-County Blvd.; 1529 East Tri-County Blvd.; 1411 East Tri-County Blvd.; 1003 East Tri-County Blvd.; 105 and 106 Pine Lane; 1114 Pine Lane; 109 Mahoney Road; 111 Old Evacuation Road; 103 Old East Division Lane; 125 Old Evacuation Lane; 129 Old Evacuation Lane, all pursuant to a map of de-annexation showing all the property to be de-annexed in dark green (with the exception of Parcel 2512 Oliver Springs Highway, which was added to the de-annexation list). (See a copy of the map which is attached to and incorporated into the minutes as fully as if set out verbatim.) Anderson County will pay its legal expense and Oliver Springs will pay its legal expense and the court costs will be equally divided. All voted aye.

The Mayor opened discussion on the Windrock Road-Coal Creek camp ground annexation. The Mayor advised that this area had been approved by the Anderson County Commission wherein it is now included in the amended Oliver Springs Growth Plan. The Plan of Services included:

1. Street light on streets and roadways as needed.
2. The Town will provide the water at Windrock Road and the entrance to Cox Circle, with the lines to be run by Coal Creek under the supervision of the City's engineer.
3. The sewer will be provided at the man hole located at the same area and will require a pump system and pressure feed, also to be provided by Coal Creek but also inspected by the Town's engineer.
4. The water and sewer services are readily available and can be made upon request by Coal Creek.
5. Police protection, fire protection, and garbage pick up will be initiated immediately after annexation. The boundary line at Windrock Road is on the northeast side of the road, and Windrock Road will remain a part of the Anderson County road system under their maintenance.
6. The Tri-County Blvd. property is annexed and will be patrolled by the Town of Oliver Springs.

The Developer Coal Creek Mining and Manufacturing Company will design, construct, and pay for the roads, water lines, sewer lines, and other desired infrastructure. The annexation of this

property will also benefit the proposed Oliver Springs Industrial Development Park. The Mayor has been contacted by an environmental company which markets waste disposal systems that will dispose of waste and in the process will create electricity that can be sold to the businesses in the park, and that this environmental waste company will assist in locating prospective tenants. After further and extensive discussion, and upon recommendation by the Mayor, motion by Brummett and second by Craze to annex property located in the First Civil District of Anderson County, and described as follows:

BEGINNING at a point in the existing corporate limits line for Oliver Springs, Tennessee, which point is located on the easterly side of Windrock Road at a distance of 100 ft. as measured perpendicular from the center of an existing roadway for said Windrock Road; thence along the easterly side of Windrock Road in a northeasterly direction and curving to the northerly and then northwesterly direction along a line 100 ft. from and parallel or concentric with the center of an existing roadway for Windrock Road for a distance of approximately 2,930 ft. to a point; thence with a line bearing north 20 deg. 43 min. east for a distance of approximately 2,650 ft. to a point; thence with a line bearing north 90 deg. 00 min. east for a distance of approximately 2,180 ft. to a point in the existing Oliver Springs corporate limits line; thence along the existing Oliver Springs corporate limits line in a southerly, then southwesterly, then northwesterly direction to the POINT OF BEGINNING containing approximately 259 acres, more or less. The above is shown on a graph prepared by Lackey & Associated, Inc., of 214 Main Street, Oliver Springs, Tennessee, 37840 and being designated as Drawing No. 05-1062 bearing date October 18, 2005.

This passed 3-1, with Mr. Cox voting no!

NEW BUSINESS

Upon recommendation of the Mayor, motion by Cox and second by Brummett to approve and authorize the Mayor to enter into the audit contract with Brown, Jake, and McDaniel for the next fiscal year (2006-2007) for \$19,975.00 (one-half to the water department and one-half to the general fund). All voted aye.

With no further business to come before the meeting, the meeting was upon motion duly made, seconded, and unanimously passed, adjourned at 7:40 p.m.

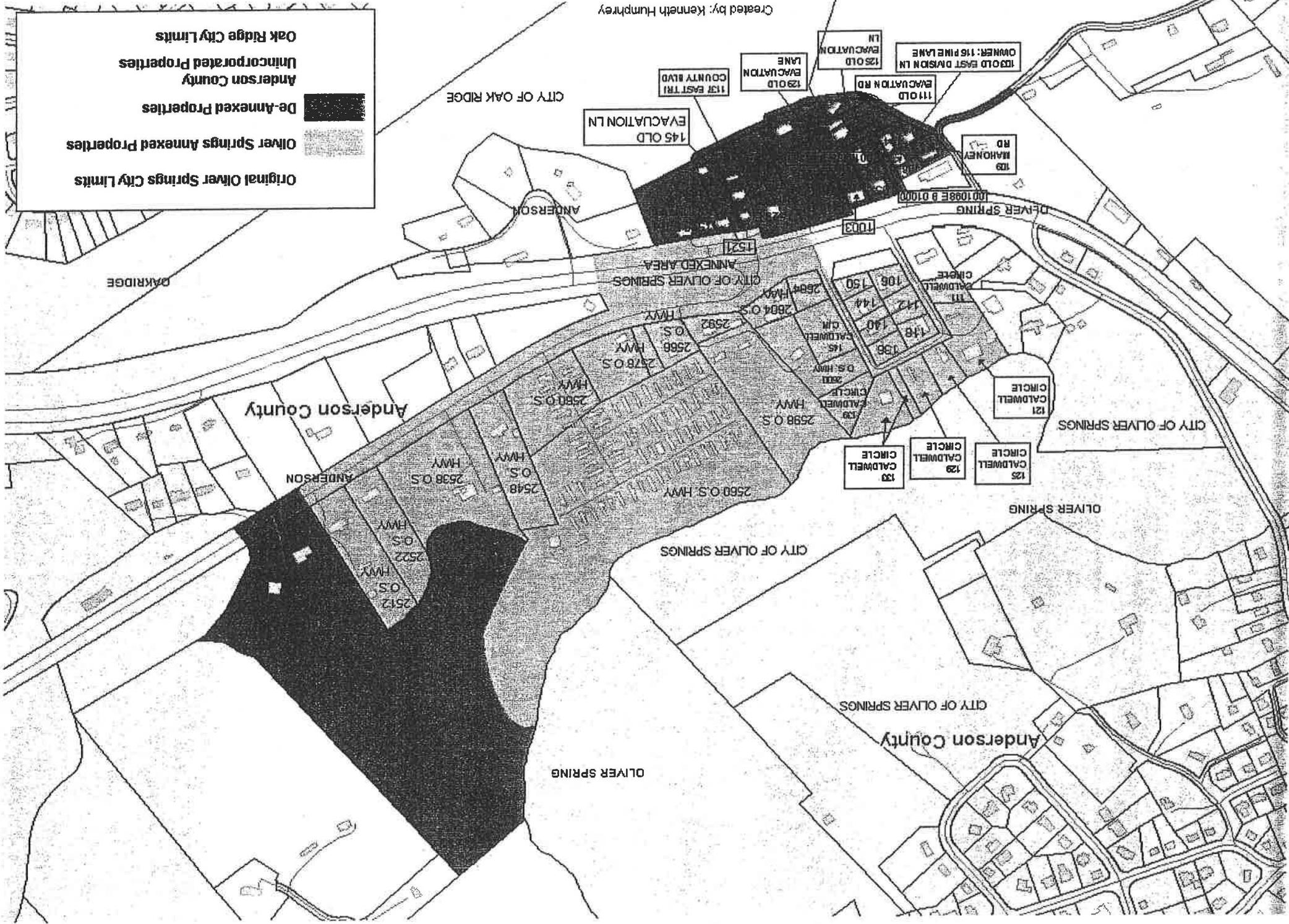
Respectfully submitted,

Approved:

Ed Kelley
Mayor

Joseph H. Van Hook
City Recorder

TM#10/4-20-06



Created by: Kenneth Humphrey

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSIONERS MET IN REGULAR SESSION MAY 15, 2006 WITH THE FOLLOWING COMMISSIONERS PRESENT: MARK ALDERSON, JOHN ALLEY, DAVID BOLLING, JERRY CREASEY, CHUCK FRITTS, SCOTT GILLENWATERS, DOUG HAUN, MYRON IWANSKI, AVERY JOHNSON, KATHY MOORE, RICKEY MOORE AND JERRY WHITE. ABSENT: MIKE COX.

Prayer given by Commissioner Gillenwaters.

Pledge of Allegiance was led by Commissioner Bolling.

1. Commissioner Gillenwaters moved to approve as amended the April 17, 2006 regular session. Seconded by Commissioner Johnson. Motion carried by voice vote.

Agenda

2. Commissioner Rose moved to add to the agenda Budget Item 59 to New Business. Seconded by Commissioner Creasey. Commissioner Fritts moved to add to the agenda the proposed I-475 Raccoon Valley Road exit under Item 12. Seconded by Commissioner Johnson. Motion carried by voice vote for amended agenda.

3. Commissioner Archer moved to approve the resolution commending Chase Nobles of Boy Scout Troop 73 for the rank of Eagle Scout. Seconded by Commissioner Rose. Motion carried by voice vote.

05-06 #248

Anderson County, Tennessee Board of Commissioners

A RESOLUTION COMMENDING CHASE NOBLES OF BOY SCOUT TROOP 73 OF NORRIS, TENNESSEE FOR COMPLETING ALL REQUIREMENTS FOR THE RANK OF EAGLE SCOUT.

Whereas, an Eagle Scout has always carried with it a special significance, not only in Scouting but also as he enters higher education, business or industry and community service. The Eagle Scout award is a performance-based achievement whose standards have been well-maintained over the years. Only approximately 4% of all Boy Scouts earn the Eagle Scout Rank; and

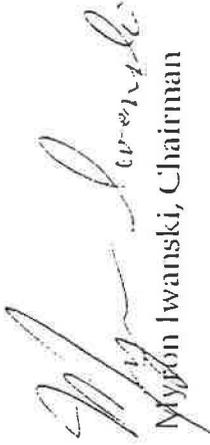
Whereas, the merit badge signifies the mastery of certain scoutcraft skills, as well as helping boys increase their skills in an area of personal interest. Of the 120 merit badges available, 21 must be earned to qualify for Eagle Scout; and

Whereas, earning the Eagle Scout Rank, the highest advancement in Scouting, a Boy Scout must fulfill requirements in the areas of leadership, service and outdoor skills.

Whereas, for his Eagle project, Chase recognized the need for picnic tables at the newly constructed Norris Lion's Club Pavilion near the town center. He organized a fund raiser involving the troop and drew up the plans for construction himself after visiting several similar structures in the area. For materials, he wrote letters to many area lumber businesses and had much of the material donated. Chase gathered tools, set a construction schedule for the boys and adults in the troops and over several working days, made 10 picnic tables. These tables have been a boon to the whole community. Often teachers will take their students outside for class, families have used the tables at reunions, and walkers will rest there.

Therefore, Be It Resolved, the Anderson County Board of Commissioners, meeting in quarterly session this 15th day of May 2006, does hereby acknowledge and commend Chase Nobles for his exemplary fulfillment of the requirements in earning the rank of Eagle Scout and joining more than one million Boy Scouts who have earned this rank since 1911.




Myron Iwanski, Chairman


Jeff Cole, County Clerk

4. Commissioner Fritts moved to approve notaries. Seconded by Commissioner Moore. Motion carried by voice vote.

Notaries

Phillip R Boggs
Sandra K Cameron
Kimberly H Disney
Bobby R Duncan
Clara A Gomez
Heather Hampton
Wilma L Harmon
Lea Ann Oldham
Holly Miller
Kenneth Montgomery

Jodi M Morgan
Teresa Gene Morgan
Michelle D Parker
Annette Parton
James R Schneider
Rebecca Sluss
Niki L Smith
Sue Thais
Sandra K Weatherford
Joy C Wilson

Rachel Yarber

5. Commissioner Fritts moved to approve notary bonds. Seconded by Commissioner Moore. Motion carried by voice vote.

Notary Bonds

Western Surety
Laura Ayers
Patricia L Daugherty
Donna E Duncan
Cheryl S Mayes
Terri M Gadd
Candice R McGrath
Lydia C McWhorter
Donna M Pratt
Julie Satterfield
Charlene L Silvey
Elizabeth Lynne Smith
Kathy D Stinnett
Tammy S Thatcher
Robert W Wilkinson

Universal Surety
Amanda Jenkins
Kevin Hill
Rebekah A Lee
Heather Love
Ina K Roberts
Safeco
Kristi E Cooper
Gina S Holt
Theda Stephens
Ebony N Thomas

State Farm
Ellen Carr
Tiffany A Casey
Robert J Hamby
Merchants Bonding
Jean Job

RLI Surety
Catherine C Freels
Penny L Hicks

SBCA
Kristina Crandall

Tennessee Farmers
M R Salcido

6. Commissioner White moved to recommend Knoxville Regional Parkway Design Resource Team to add an interchange at Raccoon Valley Rd. Seconded by Creasey.

Voting Aye: Bolling, Creasey and White. NO: Alley, Fritts, Gillenwaters, Haun, Iwanski, Jernigan, Moore, Johnson and Rose. Absent: Alderson, Archer and Cox. Motion failed.

7. Commissioner White moved to approve Settlement Agreement between Anderson County and the Town of Oliver Springs. Seconded by Commissioner Moore.

Voting Aye: Alderson, Alley, Bolling, Creasey, Gillenwaters, Haun, Iwanski, Johnson, Moore, Rose and White. NO: Fritts and Jernigan. Absent: Archer and Cox. Motion carried.

SETTLEMENT AGREEMENT

THIS AGREEMENT, made this 17th day of May 2006, by and between the parties, Anderson County, Tennessee, a county government and political subdivision of the State of Tennessee (hereinafter, "Anderson County"), and the Town of Oliver Springs, Tennessee, a municipal corporation and political subdivision of the State of Tennessee (hereinafter, "Oliver Springs"), together with certain members of the Oliver Springs Board of Alderman; including, Edwin Kelley, John Chadwell, Omer Cox, Martin Craze, Paul Fox and James Brummett, in their official capacities only, (hereinafter, collectively included as "Oliver Springs") and originally named in the lawsuit regarding this matter, (See, Anderson County Chancery Court Case Number 05C115225).

WHEREAS, the parties hereto are involved in a lawsuit filed by Anderson County regarding attempted annexation by Oliver Springs of certain real property outside of the Oliver Springs Urban Growth Boundary (hereinafter, "U.G.B."). (See, Anderson County Chancery Court Case Number 05C115225) The property in question, is situated near the intersection of State Highway 61 and State Highway 62, as evidenced by the attached map, (Exhibit 1), and

WHEREAS, Oliver Springs and County previously agreed in 2001 on a Twenty Year Growth Plan governing present and future municipal boundaries and areas to be included and excluded from municipal growth, and

WHEREAS, a dispute arose between the two parties as to the correct interpretation of the Oliver Springs U.G.B. and this Agreement is intended to resolve the boundary dispute; amend the Anderson County Twenty Year Growth Plan; settle other associated legal issues; including, but not limited to, property tax reimbursement, traffic fine reimbursement, re-establish jurisdiction and speed limits on State Highways that have been affected, mandate the compliance with appropriate State laws regarding proper annexation procedures, and dismiss the pending lawsuit, and

WHEREAS, the parties have undertaken to mediate this dispute and have reached an agreement on all issues contained in this dispute, and

WHEREAS, this Agreement also allows for a modification of the Anderson County Twenty Year Growth Plan, by amending the Oliver Springs U.G.B., annexation of certain identified real property and State Highways, in exchange for de-annexation of certain property previously annexed by Oliver Springs, and

WHEREAS, this Agreement contains all settlement terms and conditions as negotiated and provides for the final resolution of this dispute upon approval by the respective legislative bodies.

WITNESSETH

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and among the parties to resolve their various disputes, lawsuits and concerns as follows:

SECTION 1: Consent to Annexation. Anderson County consents and waives all objections to future Annexations of property included in the current, as amended by this Agreement, Oliver Springs U.G.B., as determined and identified in Exhibit 1 to this Agreement, provided that all annexations within this U.G.B. will be in accordance with Tennessee Law.

SECTION 2: Amendment of Anderson County Growth Plan. The parties have agreed that the Anderson County Growth Plan shall be amended, as it pertains to the clarification of the Oliver Springs U.G.B., as evidenced by the attached Exhibit 1, and by the approval of this Agreement by the Anderson County Legislative Body and Oliver Springs Board of Alderman.

SECTION 3: Deannexation of Property Outside the Oliver Springs U.G.B. Oliver Springs agrees to deannex all parcels of property not inside the Oliver Springs' U.G.B, as reflected on the attached Exhibit 1. The deannexed parcels are further identified as Map 98 E, Parcels: 1, 2, 6, 7, 9, 10, 11, 12, 14, 15 and 16, as well as, Map 98, Parcels: 62.01, 63, 63.01, 64.01, 65, approximately 19.8 acres of Parcel 21, east of the creek bed, Parcel 22 and 23.

SECTION 4: U.G.B. on Highway 61 East of Tri-County Blvd. The parties agree that the Oliver Springs City Limit and U.G.B. will be established on State Highway 61 at line extending across the highway from the most eastern property line of Parcel 22, Map 98, (2512 Oliver Springs Highway) and shall include the paved portion of Highway 61. Map 98, Parcel 22 will not be inside the City Limits of Oliver Springs, but will remain inside the U.G.B.

SECTION 5: Return of Property Tax Collections. Oliver Springs agrees to return, within sixty (60) days of the execution of this Agreement, any city property tax collected from the owners of the deannexed property identified in Section 3 above.

SECTION 6: Reimbursement of Traffic Fines. Oliver Springs agrees to return, within sixty (60) days of the execution of this Agreement, any and all fines collected from motorists or individuals cited on State Highway 61, Pine Lane, Evacuation Lane and the portion of Mahoney Road in question for traffic or other violations of municipal ordinances and/or Tennessee law occurring since January 20, 2005.

SECTION 7: Re-establish Speed Limits, Relinquish Authority. Oliver Springs agrees to re-establish the speed limit on State Highway 61 to fifty-five (55) mph and relinquish authority and jurisdiction over the portion of State Highway 61 outside of the defined Oliver Springs' town limit, (See, Exhibit 1), as well as, relinquishing authority over Pine Lane, Evacuation Lane and the portion of Mahoney Road in question. Oliver Springs agrees to promptly notify the State of Tennessee of this change in jurisdiction regarding these roadways and change the appropriate highway signage to reflect these changes.

SECTION 8: Compliance with Tennessee Law. Oliver Springs agrees to conduct all annexations in accordance with all mandates embodied within Tennessee law. Oliver Springs agrees that if a suit is instituted by Anderson County to enforce the terms of this Agreement, and Anderson County prevails in that suit that Oliver Springs will reimburse Anderson County for all attorney's fees and court costs associated with that suit.

SECTION 9: Dismissal of Current Lawsuit
Anderson County agrees to dismiss its current lawsuit with Oliver Springs concerning this matter within thirty (30) days of the date of execution of this agreement. (See, Anderson County Chancery Court Case Number 05CH5225). Each party will be responsible for its attorney fees and Anderson County will pay the court costs.

SECTION 10: Agreement to Expedite all Governmental Proceedings. Recognizing the needs and desires of the parties to expedite all proceedings contemplated hereby, all parties hereto agree to use their best efforts to expedite governmental proceedings needed to approve and ratify the terms set forth in this Agreement without further delay.

SECTION 11: No Oral Modification. No modification, amendment, supplement to or waiver of this Agreement or any of its provisions shall be binding upon the parties hereto unless made in writing and duly signed by all parties.

SECTION 12: Waiver. A failure of any party to exercise any right provided for herein, shall not be deemed to be a waiver of any right hereunder.

SECTION 13: Entire Agreement. This Agreement sets forth the entire understanding of the parties as to the subject matter and may not be modified except in a writing executed by all parties.

SECTION 14: Severability. In the event any one or more of the provisions of this Agreement is invalid or otherwise unenforceable, the enforceability of remaining provisions shall be unimpaired.

SECTION 15: Exhibits. Any Exhibits attached hereto or incorporated herein are made a part of this Agreement for all purposes. The expression "this Agreement" means the body of this Agreement and the attached Exhibits.

SECTION 16: Multiple Counterparts; Effectiveness. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed, collectively, one Agreement. This Agreement shall become effective when executed and delivered by all the parties.

SECTION 17: Jurisdiction. Each party hereby irrevocably consents to the jurisdiction of all state courts sitting in Anderson County or all federal courts sitting in Knoxville, Tennessee and agrees that venue for any legal action brought in connection with this Agreement shall lie exclusively in such courts.

SECTION 18: Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties and upon their respective successors, heirs or assigns.

SECTION 19: Choice of Law. This Agreement shall be governed and construed in accordance with the laws of the State of Tennessee.

SECTION 20: Notice. Any notice required or provided pursuant to this Agreement shall be in writing and sent or delivered to the parties and attorneys.

SECTION 21: Titles and Subtitles. Titles of paragraphs and subparagraphs are for convenient reference only and shall not have the effect of modifying, amending or changing the express terms of this Agreement.

SECTION 22: Assignment. This Agreement shall be assignable only upon the written consent of the non-assigning party. Consent to an assignment shall not be unreasonably withheld. In the event of assignment or succession, the terms and conditions of this Agreement shall be binding upon the parties and their respective governments, successors in office, assigns, heirs, executors and/or administrators.

SECTION 23: Further Documentation. The parties agree for themselves and their successors and assigns to execute any and all instruments in writing, which are or may become necessary or proper to carry out the purpose and intent of this Agreement.

SECTION 24: Release and Hold Harmless. The parties mutually agree that they shall and do hereby release, forever discharge and hold harmless one another as well as the employees, agents and counsel for one another from any and all claims whatsoever, both known and unknown that may have existed prior to the execution of this Agreement or that may arise from the lawsuits or circumstances referenced herein. The only claim that shall survive this Agreement is compliance with this Agreement.

SECTION 25: Acceptance Period. This offer of settlement is open for acceptance until May 15th, 2006 at 5:00 p.m. Acceptance is conditioned upon the full execution and receipt of this Agreement in Room 208, Office of the County Mayor, Anderson County Courthouse, 100 North Main Street, Clinton, TN 37716.

IN WITNESS WHEREOF, the parties hereto, each acting under due and proper authority, and with respect to the local government parties, pursuant to authorization by their respective governing legislative bodies, have accepted the terms and executed this Agreement.

ACCEPTANCE BY ANDERSON COUNTY:

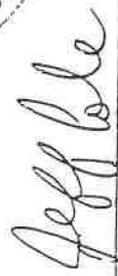

Myron Iwagński, Chair, A.C. County Comm.


Rex Lynch, County Mayor

APPROVED AS TO FORM:


Dave Clark, County Attorney

ATTEST:


Jeff Cole, Anderson Co. Clerk



ACCEPTANCE FOR THE TOWN OF OLIVER SPRINGS:

Edwin L. Kelley
Edwin L. Kelley, Oliver Springs Mayor

John Chadwell
John Chadwell, O.S. Alderman

Omar Cox
Omar Cox, O.S. Alderman

Martin Craze
Martin Craze, O.S. Alderman

Paul Fox
Paul Fox, O.S. Alderman

James Brummelt
James Brummelt, O.S. Alderman

Chris Hepler
Chris Hepler, O.S. Alderman

APPROVED AS TO FORM:

ATTEST:

James Webster
James Webster, City Attorney

Josephine
Recorder and Judge

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, Joanne Anderson, a Notary Public in and for said County and State, MYRON IWANSKI, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May WITNESS my hand and official seal at Anderson Tennessee, the 17 day of _____, 2006.

Joanne Anderson
Notary Public



My Commission Expires: 2-1-07

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, Jana Leonard, a Notary Public in and for said County and State, REX LYNCH, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May WITNESS my hand and official seal at Anderson Tennessee, the 17th day of _____, 2006.

Jana Leonard
Notary Public

My Commission Expires: August 2006

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAMONA WALKER, a Notary Public in and for said County and State, EDWIN KELLEY, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May, 2006. WITNESS my hand and official seal at Oliver Springs, Tennessee, the 11th day of

Ramona Walker
Notary Public

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAMONA WALKER, a Notary Public in and for said County and State, JOHN CHADWELL, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May, 2006. WITNESS my hand and official seal at Oliver Springs, Tennessee, the 11th day of

Ramona Walker
Notary Public

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAMONA WALKER, a Notary Public in and for said County and State, OMER COX, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May, 2006. WITNESS my hand and official seal at Oliver Springs, Tennessee, the 11th day of

Ramona Walker
Notary Public

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAMONA WALKER, a Notary Public in and for said County and State, MARTIN CRAZE, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

May, 2006. WITNESS my hand and official seal at Oliver Springs, Tennessee, the 11th day of

Ramona Walker
Notary Public

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAVUNA WALKER, a Notary Public in and for said County and State, PAUL FOX, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Oliver Springs Tennessee, the 11th day of May, 2006.

Ravuna Walker

Notary Public

STATE OF TENNESSEE,)
COUNTY OF ANDERSON.)

Personally appeared before me, RAVUNA WALKER, a Notary Public in and for said County and State, JAMES BRUMMETT, the within named person, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Oliver Springs, Tennessee, the 11th day of March, 2006.

Ravuna Walker



TOWN OF OLIVER SPRINGS

Settlement Agreement

Anderson County

Vs.

Town of Oliver Springs

MAPS

FINAL DRAFT

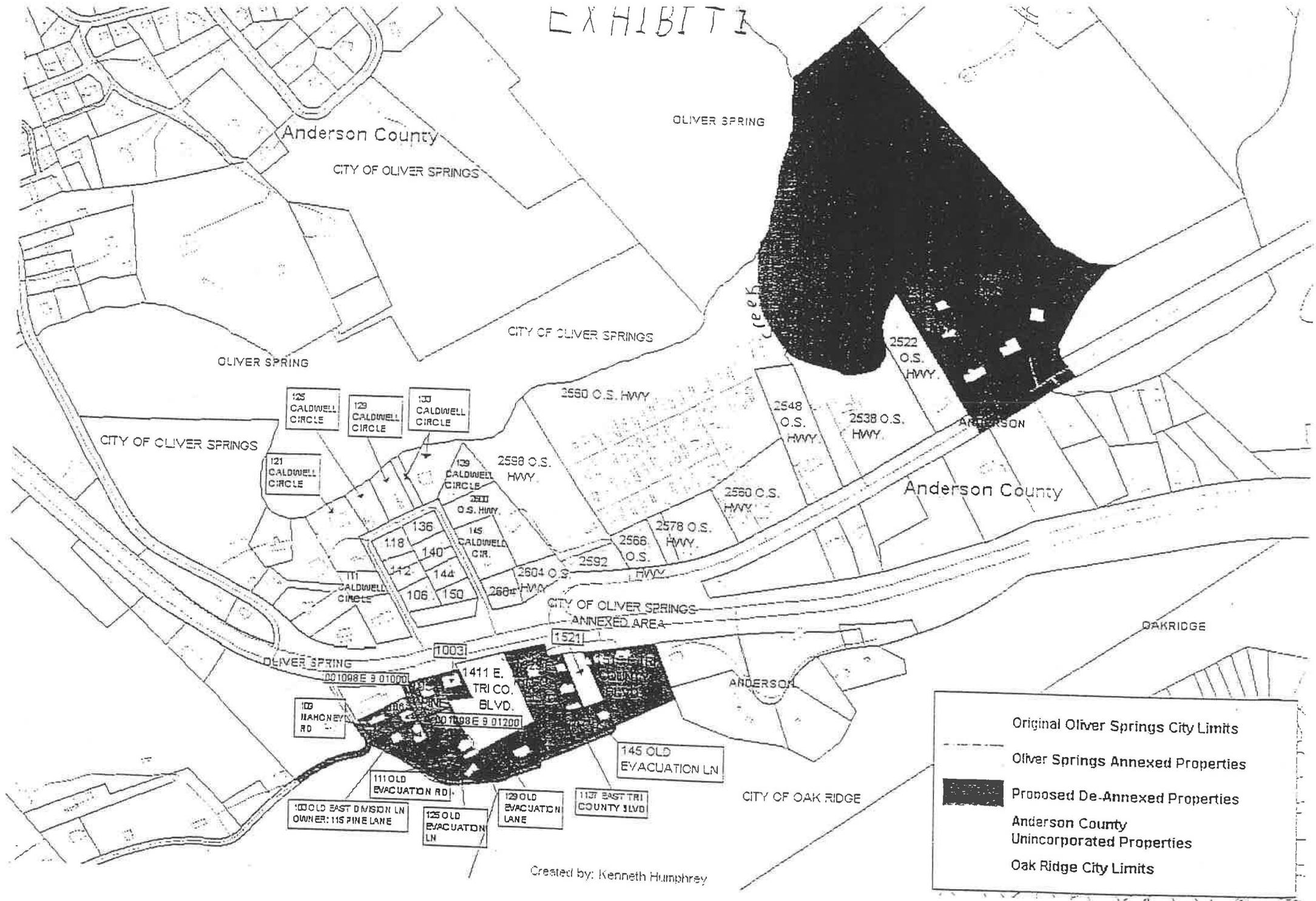
May 10, 2006

EXHIBIT

MAY 20, 2006

659

REGULAR SESSION



Created by: Kenneth Humphrey

8. Commissioner Moore moved to defer for 30 days the Settlement Agreement between Anderson County and City of Oak Ridge. Seconded by Commissioner Gillenwaters.

Voting Aye: Alderson, Creasey, Gillenwaters, Haun, Iwanski, Jernigan, Johnson, Moore and Rose. NO: Alley, Bolling, Fritts and White. Absent: Archer and Cox. Motion carried.

9. Commissioner Moore moved to deplete the remaining Non-Profit funds of \$2,360.00 contributing this to ETRRA for vehicles and the remaining \$17,311.00 be referred to the Budget Committee. Seconded by Commissioner Johnson.

Voting Aye: Alderson, Alley, Creasey, Fritts, Haun, Iwanski, Jernigan, Johnson, Moore, Rose and White. NO: Bolling and Gillenwaters. Absent: Archer and Cox. Motion carried.

Nominating Committee

10. Commissioner Alderson moved to rescind Item 37 of the April 17, 2006 County Commission Meeting regarding a sub-committee to research a Rural Fire Tax. Seconded by Commissioner Moore. Motion carried by voice vote. NO: Jernigan.

11. Commissioner Alderson moved for the Fire Commission to handle researching the Rural Fire District Tax and report back to the Operations Committee within 90 days. Seconded by Commissioner Moore. Motion carried by voice vote. NO: Jernigan.

County Attorney Report

12. Commissioner Bolling moved to rescind fees for Elected Officials and appointed Department Heads through the Register of Deeds office. Seconded by Commissioner Moore. Motion carried by voice vote.

13. Commissioner White moved to approve contract for Cariten TPA Services - Inmate Medical Claims. Seconded by Commissioner Fritts. Motion carried by voice vote.

14. Commissioner Creasey moved to approve lease agreement for the Anderson County Soccer Field. Seconded by Commissioner Moore. Motion carried by voice vote.

School Department Report

15. Commissioner Alderson moved for approval of the \$10.1 million loan addition subject to compliance with loan documents and monthly project status update reports by School Superintendent. Seconded by Commissioner Moore. Motion carried by voice vote.

Purchasing Committee

16. Commissioner Johnson moved to approve Purchasing Committee recommendation that Sherrea Seiber with the Anderson County Health Department be the point of contact and administrator of the NaCo Prescription Drug Program with Advance PCS program. Seconded by Commissioner Moore. Motion carried by voice vote.

17. Commissioner Moore moved to approve Purchasing Committee recommendation that the Anderson County Election Commission enter into a contract with Harp Enterprises for Voting Machines. Seconded by Commissioner Fritts. Motion carried by voice vote.

18. Commissioner Fritts moved to approve Purchasing Committee recommendation to do an two extension to the Inmate Telephone Contract, with Evercom (Securus) at the same contract price. Seconded by Commissioner Moore. Motion carried by voice vote.

19. Commissioner Fritts moved to approve Purchasing Committee recommendation for a three-year contract with Metro Communications for Radio/Communication Maintenance, pending approval by the County Attorney. Seconded by Commissioner Moore. Motion carried by voice vote.

Budget Committee

20. Commissioner Fritts moved to approve written request from the School Department the following 141, 142, 145.14, 145.14, 145.13, 145.13, 145.12, 142.81 and 141. Seconded by Commissioner Moore.

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Fritts, Gillenwaters, Haun, Iwanski, Jernigan, Johnson, Moore, Rose and White. Absent: Cox. Motion carried.

Increase Revenue Code:

145.15-73300-311 Other Direct Federal Revenue 1,000.00

Increase Expenditure Code:

145.15-73300-311	Contracts w/Other School Sys.	979.00
145.15-99110-504	Indirect Costs	21.00
	Total	<u>1,000.00</u>

Increase Expenditure Code:

145.15-73300-429	Instructional Supplies	1,505.74
145.15-99100-504	Indirect Cost	13.00
	Total	<u>1,518.74</u>

Decrease Code:

145.15-34440 Other School Federal Reserve 1,518.74

Increase Expenditure Code:

145.14-43517	Tuition	1,300.00
145.14-44170	Miscellaneous Refunds	225.00
	Total	<u>1,525.00</u>

Increase Expenditure Code:

145.14-73300-163	Educational Assistants	1,300.00
145.14-73300-189	Other Salaries & Wages	225.00
	Total	<u>1,525.00</u>

Increase Expenditure Code:

145.14-73300-524	Staff Development	117.11
145.14-99100-504	Indirect	3.00
	Total	<u>120.11</u>

Decrease Code:

145.14-34440 Other School Fed Reserves 120.11

Increase Expenditure Code:

145.13-73300-399	Contracted Services	4,394.00
145.13-73300-426	Construction Materials	2,000.00
145.13-73300-499	Other Supplies & Materials	1,249.39
145.13-99100-504	Indirect Costs	167.00
	<u>Total</u>	<u>7,810.39</u>

Decrease Code:

145.13-34440	Other Scholl Fed Reserve	7,810.39
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Increase Revenue Code:

145.13-47114	USDA - Other	8,500.00
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Increase Expenditure Code:

145.13-99100-590	Transfers to Other Funds	8,500.00
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Increase Revenue Code:

145.12-43517-1000	Andersonville	4,745.00
145.12-43517-3000	Fairview	7,245.00
145.12-43517-4000	Grand Oaks	4,200.00
145.12-43517-5000	Norris	4,680.00
145.12-43517-7000	Norwood	3,480.00
145.12-46990	Other State Revenue	5,200.00
	<u>Total</u>	<u>29,550.00</u>

Increase Expenditure Code:

145.12-73300-130	Social Workers	2,500.00
145.12-73300-163	Educational Assistants	5,000.00
145.12-73300-189	Other Salaries & Wages	500.00
145.12-73300-307	Communications	500.00
145.12-73300-316	Contributions	50.00
145.12-73300-330	Operating Lease Payment	1,850.00
145.12-73300-355	Travel	500.00
145.12-73300-429	Instructional Supplies	13,750.00
145.12-73300-434	Natural Gas	250.00
145.12-73300-499	Other Supplies	2,650.00
145.12-99100-590	Transfer to Other Funds	2,000.00
	<u>Total</u>	<u>29,550.00</u>

Increase Code:

142.81-34440	Other Federal Reserves	3,587.89
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Increase Revenue Code:

142.81-46980	Other Federal Reserves	3,587.89
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Increase Revenue Code:

141-44990-1000	E-Rate Funds	25,000.00
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Increase Expenditure Code:

141-71100-499	Other Supplies & Materials	25,000.00
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21. Commissioner Fritts moved to approve the written request from the Anderson County School Department the following transfer in 142.31, 142.29, 142.28, 142.26, 141, 141 in the General Purpose School Fund. Seconded by Commissioner Bolling. Motion carried by voice vote.

Increase Expenditure Code:

142.31-71100-189	Other Personnel	900.00
142.31-71100-204	State Retirement	49.50
142.31-72210-499	Other Supplies & Materials	77.96
142.31-72210-524	Staff Development	5,460.97
	<u>Total</u>	<u>6,488.43</u>

Decrease Expenditure Code:

142.31-71100-195	Substitutes	6,040.00
142.31-71100-201	Social Security	318.68
142.31-71100-210	Unemployment	26.95
142.31-71100-212	Medicare	74.53
142.31-71100-299	Other Fringes	28.27
	<u>Total</u>	<u>6,488.43</u>

Increase Expenditure Code:

142.29-71100-210	Unemployment	62.60
142.29-71200-534	Refund/App. Criminal Invest	48.00
142.29-72210-210	Unemployment	2.08
	<u>Total</u>	<u>112.68</u>

Decrease Expenditure Code:

142.29-72210-499	Other Supplies & Materials	112.68
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Increase Expenditure Code:

142.28-71100-213	Payments to Retirees	3,000.00
142.28-72210-320	Dues & Memberships	79.00
	<u>Total</u>	<u>3,079.00</u>

Decrease Expenditure Code:

142.28-72210-524	Staff Development	3,079.00
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Increase Expenditure Code:

142.26-71200-163	Educational Assistants	9,277.00
142.26-71200-198	Non-Certified Sub Teachers	2,500.00
142.26-71200-206	Life Insurance	184.00
142.26-71200-210	Unemployment Compensation	182.00
142.26-71200-399	Other Contracted Services	20,000.00
142.26-72220-124	Psychological Personnel	4,804.00
142.26-72220-201	Social Security	178.00
142.26-72220-204	State Retirement	2,188.00
142.26-72220-210	Unemployment Compensation	3.00
142.26-72220-212	Employer Medicare	41.00
142.26-72220-299	Other Fringe Benefits	15.00
142.26-72220-308	Consultants	72,913.00
	<u>Total</u>	<u>112,285.00</u>

Decrease Expenditure Code:

142.26-71200-116	Teachers	67,775.00
142.26-71200-195	Certified Sub Teachers	3,700.00
142.26-71200-201	Social Security	3,206.00
142.26-71200-204	State Retirement	3,299.00
142.26-71200-207	Medical Insurance	24,597.00
142.26-71200-212	Employer Medicare	750.00
142.26-71200-299	Other Fringe Benefits	2,798.00
142.26-72220-162	Clerical Personnel	1,941.00
142.26-72220-206	Life Insurance	18.00
142.26-72220-207	Medical Insurance	4,201.00
	<u>Total</u>	<u>112,285.00</u>

Increase Expenditure Code:

141-76100-399	Other Contracted Services	3,189.42
141-72620-499	Other Materials & Supplies	6,000.00
141-72620-4335	Office Supplies	1,224.47
	<u>Total</u>	<u>10,413.89</u>

Decrease Expenditure Code:

141-72610-359	Disposal Fees	9,189.42
141-72620-499	Other Supplies & Materials	1,224.47
	<u>Total</u>	<u>10,413.89</u>

<u>Increase Expenditure Code:</u>	
141-72620-425	Gasoline
	12,000.00
<u>Decrease Expenditure Code:</u>	
141-76100-707	Building Improvements
	12,000.00

22. Commissioner Fritts moved to approve written requests from ACUB, Emergency Medical Services and Gail Cook, Director of Accounts and Budgets the following transfers in 204, 101, 151, 152 and 156. Seconded by Commissioner Moore.

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Fritts, Gillenwaters, Haun, Iwanski, Jernigan, Johnson, Moore, Rose and White. Absent: Cox. Motion carried.

<u>Increase Revenue Code:</u>	
204-43193	Water/Sewer Taps
204-44570	Construction
	Total
	33,000.00
	<u>79,928.00</u>
	112,928.00

<u>Increase Expenditure Code:</u>	
204-58140-321	Engineering
204-58140-351	Rentals
204-58140-499	Distribution Supplies
204-58140-791	Construction
204-58140-791-1000	Other Construction
	Total
	6,800.00
	1,200.00
	10,000.00
	15,000.00
	<u>79,928.00</u>
	112,928.00

<u>Increase Revenue Code:</u>	
101-44520	Insurance Recovery
	15,844.61

<u>Increase Expenditure Code:</u>	
101-55130-435	Office Supplies
101-55130-338	Repairs & Maintenance
	500.00
	15,844.61

<u>Decrease Expenditure Code:</u>	
101-55130-349	Printing & Stationary
	500.00

<u>Increase Expenditure Code:</u>	
151-81100-301	Accounting Services
151-81300-301	Accounting Services
151-81300-301	Accounting Services
	Total
	50,000.00
	20,000.00
	<u>20,000.00</u>
	90,000.00

<u>Decrease Expenditure Code:</u>	
151-39000	Fund Balance
151-39000	Fund Balance
151-39000	Fund Balance
	Total
	50,000.00
	20,000.00
	<u>20,000.00</u>
	90,000.00

23. Commissioner Fritts moved to approve written requests from 116 Solid Waste and 101 Circuit Court the following transfers. Seconded by Commissioner Moore. Motion carried by voice vote.

<u>Decrease Expenditure Code:</u>	
116-55751-336	Maintenance & Repair Equip.
	200.00

<u>Increase Expenditure Code:</u>	
116-55759-351	Rentals
	200.00

<u>Decrease Expenditure Code:</u>	
101-53300-317	Data Processing Services
101-53300-411	Data Processing Supplies
101-53300-435	Office Supplies
	Total
	784.00
	360.00
	<u>200.00</u>
	1,344.00

Increase Expenditure Code:

101-53100-709 Data Processing Equipment 1,344.00

24. Commissioner Fritts moved to approve written request Jo Ann Garrett, Administrator of Elections the following appropriations in 101 County General Fund. Seconded by Commissioner Johnson.

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Fritts, Haun, Iwanski, Jernigan, Johnson, Moore, Rose and White. NO: Gillenwaters. Absent: Cox. Motion carried.

Increase Expenditure Code:

101-51500-106	Deputies (Comp Time)	425.00
101-51500-189	Voting Machine Technicians	1,650.00
101-51500-192	Election Commission	2,675.00
101-51500-193	Election Workers	10,000.00
101-51500-201	Social Security	440.00
101-51500-212	Medicare	140.00
101-51500-332	Legal Notices (display ads)	1,350.00
101-51500-348	Postage	125.00
101-51500-349	Printing	785.00
101-51500-351	Rentals	1,300.00
101-51500-355	Travel	200.00
101-51500-435	Supplies	300.00
	Total	<u>19,354.00</u>

Decrease Code:

101-39000 Undesignated Fund Balance 19,354.00

Increase Expenditure Code:

101-51500-709 Data Processing Equipment 357,500.00

Increase Revenue Code:

101-47590-3000 Other Federal thru State 312,500.00

Decrease Code:

101-39000 Undesignated Fund Balance 45,000.00

25. Commissioner Rose moved to approve written request from Alan Beauchamp, Buildings and Grant the following appropriation in County General Fund. Seconded by Commissioner Moore.

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Fritts, Haun, Iwanski, Johnson, Moore, Rose and White. NO: Gillenwaters and Jernigan. Motion carried.

Increase Expenditure Code:

101-51800-434 Natural Gas 25,000.00

Decrease Code:

101-39000 Undesignated Fund Balance 25,000.00

Operations Committee Report

26. Commissioner Gillenwaters moved to approve recommendation from the Operations Committee to take \$500.00 out of the Non-Profit code balance and donate it to ETHRA's Meals on Wheels program. Seconded by Commissioner Moore.

Amended by Commissioner White to give \$5,000.00 from the Undesignated Fund Balance and challenge the Cities of Oak Ridge and Clinton to match the fund. Seconded by Commissioner Bolling.

Creasey moved to substitute the original and amended motion with contributing the \$500.00 as proposed and sent the \$5,000.00 to the Budget Committee. Seconded by Commissioner Alley.

Voting for the Substitute motion:

Voting Aye: Alley, Creasey, Fritts, Gillenwaters, Jernigan and Johnson. NO: Alderson, Archer, Bolling, Haun, Iwanski, Moore, Rose and White. Absent: Cox. Motion failed.

Voting for the Original amended motion:

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Haun, Iwanski, Moore, Rose and White. NO: Fritts, Gillenwaters, Jernigan and Johnson. Absent: Cox. Motion carried.

27. Commissioner Moore moved to approve contributing \$50,000.00 to the Oak Ridge Heritage & Preservation Association. Seconded by Commissioner Creasey.

Voting Aye: Alley, Bolling, Creasey, Gillenwaters, Haun, Iwanski, Jernigan, Johnson, Rose and White. NO: Alderson, Archer and Fritts. Abstain: Moore. Absent: Cox. Motion carried.

28. Commissioner Creasey moved to refer the Cable Sub-Committee and the County Attorney the Senate Bill and House Bill requiring cable service provider to file an application for a state franchise with the Secretary of State. Authorizes the Secretary of State to issue a Certificate of Franchise Authority and exercise regulatory and enforcement duties over cable service providers. Seconded by Commissioner Rose. Motion carried by voice vote.

29. Commissioner Johnson moved to approve written request from Gail Cook, Director of Accounts and Budgets the following appropriation in 101 County General Fund and ACUB. Seconded by Commissioner Fritts.

Voting Aye: Alderson, Alley, Archer, Bolling, Creasey, Fritts, Gillenwaters, Haun, Iwanski, Jernigan, Johnson, Moore, Rose and White. Absent: Cox. Motion carried.

Increase Expenditure Code:

101-91170-791-2100 Other Construction-Windrock 59,430.00

Increase Expenditure Code:

101-49800 Transfer from ACUB 39,800.00

Increase Expenditure Code:

204-58140-590 Transfer to General Fund 39,890.00

Decrease Expenditure Code:

101-35178 Designated-CDBG Grant-Windrock 19,540.00

Decrease Expenditure Code:

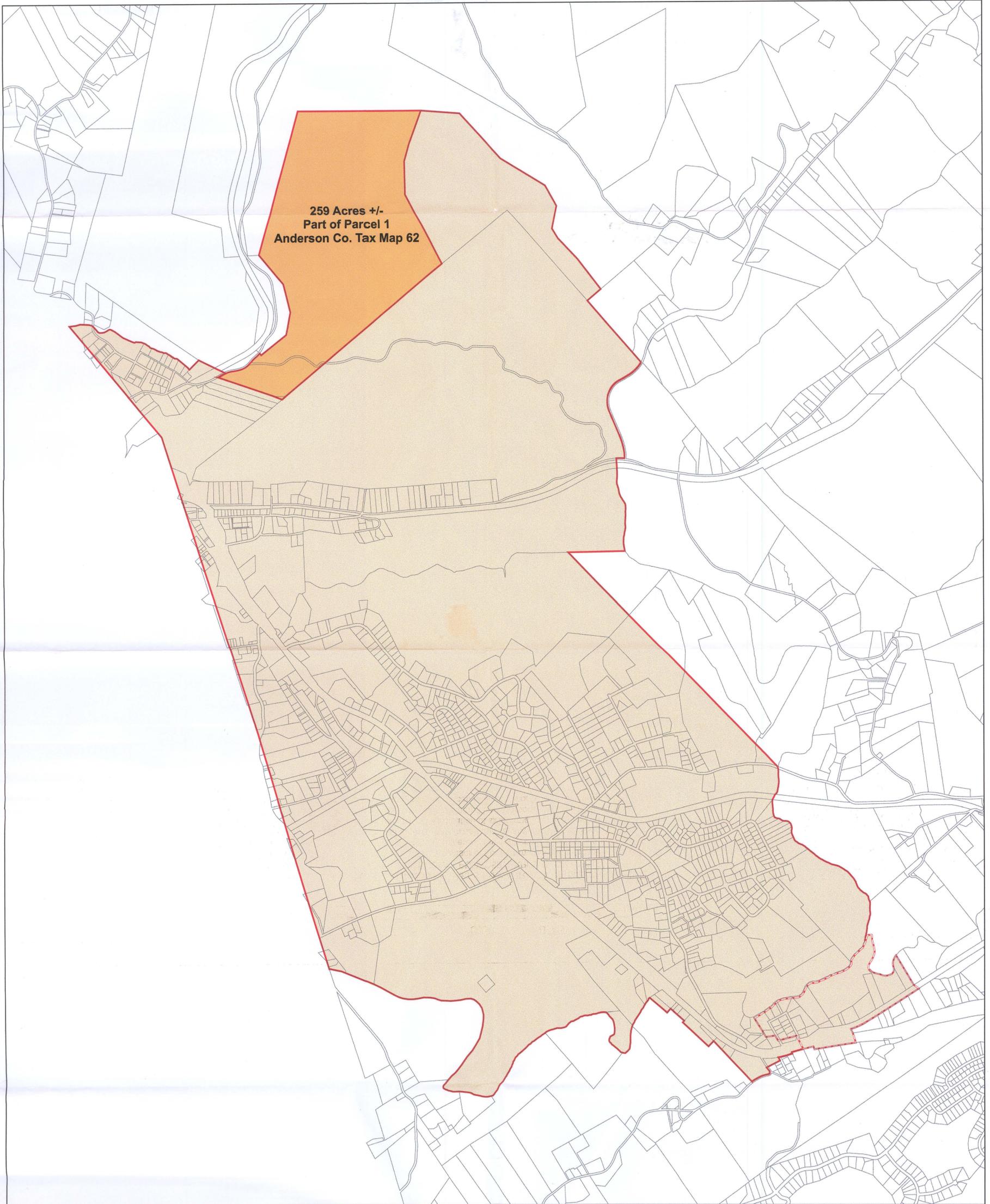
204-39000 Fund Balance-ACUB 39,890.00

30. Commissioner Bolling moved to adjourn. Seconded by Commissioner Moore. Motion carried by voice vote.

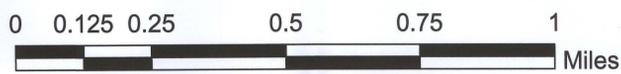
Myron Iwanski, Chairman

Jeff Cole

Anderson County Growth Plan Amendment to Oliver Springs UGB 2006



Anderson County Urban Growth Boundary
Anderson County GIS Department



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Legend	
	Tax Parcels
	Oliver Springs City Limit
	Oliver Springs 2001 UGB (Annexed)
	Proposed Amendment to UGB <i>Approved by AC Growth Committee (March 6, 2006)</i>

Date: June 15, 2006 Drawn by: Linda J. Leonard

C:\Anderson County GIS\Urban Growth Dev\Oliver Springs.mxd

Local Government Planning Advisory Committee
TO: Amend the Anderson County Growth Plan
DATE: June 30, 2006
Kathryn Baldwin
Kathryn Baldwin, Chair
Dan Hawk
Dan Hawk
Department of Economic & Community Development



State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office

William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

January 24, 2008

The Honorable Rex Lynch
Anderson County Mayor
Suite 208, 100 North Main Street
Clinton, Tennessee 37716

Dear Mayor Lynch:

The Local Government Planning Advisory Committee amended the Anderson County Growth Plan submitted by the Anderson County Coordinating Committee. Enclosed is a copy of the materials submitted by the Coordinating Committee and a copy of the Local Government Planning Advisory Committee's Resolution of Approval, effective January 23, 2008.

The Comprehensive Growth Plan law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep a copy of your plan.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Tim Roach".

Tim Roach
Director

TR/jw

Enclosure

**SUBMITTAL OF COUNTY GROWTH PLAN
AND
CERTIFICATE OF RATIFICATION**

WHEREAS, the Anderson County Coordinating Committee has developed and recommended to the county and municipal legislative bodies of Anderson County an amendment to the County Growth Plan dated June 27, 2007 which complies with TCA 6-58-106; and

WHEREAS, the county and municipal legislative bodies have ratified the amendment to the Anderson County Growth Plan as required by TCA 6-58-104; and

WHEREAS the Anderson County Coordinating Committee has held the requisite public hearings pursuant to TCA 6-58-104;

NOW, THEREFORE the Anderson County Coordinating Committee submits to the Local Government Planning Advisory Committee the Anderson County Growth Plan Map 2007 Amended Version for its approval pursuant to TCA 6-58-104.

Rex Leggett
Chair
Anderson County Coordinating Committee

1/9/08
Date

**RESOLUTION OF APPROVAL
BY THE
LOCAL GOVERNMENT PLANNING ADVISORY COMMITTEE**

WHEREAS, the Anderson County Coordinating Committee has submitted an amendment to the County Growth Plan for Anderson County and its municipalities, and

WHEREAS, the Coordinating Committee has certified that the plan has been ratified pursuant to TCA 6-58-104,

NOW THEREFORE BE IT RESOLVED by the Local Government Planning Advisory Committee that the Anderson County Growth Plan is hereby approved and becomes effective this date.

Kurtz B. Collins
Chair

1-23-08
Date

11/20/06

RECEIVED
2007 OCT -4 PM 2:20
SECRETARY OF STATE

MASTER SETTLEMENT AGREEMENT

THIS AGREEMENT, made this 20TH day of November, 2006, by and between the parties, Anderson County, Tennessee, a county government and political subdivision of the State of Tennessee (hereinafter, "County"), and the City of Clinton, Tennessee, a municipal corporation and political subdivision of the State of Tennessee (hereinafter, "Clinton"), to wit certain members and former members of the Clinton City Council in their official capacities only, including: Mayor Winfred "Wimp" Shoopman, Jerry Shattuck, Michael Farley, Scott Vowell, and Garry Whitley (hereinafter, "Clinton City Council Members" and collectively included as "Clinton"), and Rogers Group, Inc., a Tennessee Corporation and petitioner for annexation into the City of Clinton, (hereinafter, "Rogers"), and other Necessary Parties and Petitioners for Annexation in the City of Clinton, including, Margaret Fox Best, Stanley Fox, Ronald Fox, Karen Fox, Stanley Grubb, Rebecca Grubb, Jacob Hogue, Patricia Hogue, Wayne McKinney, Debora McKinney and FHG Enterprises, L.P., (hereinafter, collectively, "Petitioners").

WHEREAS, the parties hereto are involved in a lawsuit filed by County regarding attempted annexation by Clinton of certain real property belonging to Rogers and the Petitioners. (Anderson County Chancery Court Case Number 04CH4226) The property belonging to Petitioners, (hereinafter, "Petitioners' Property") as evidenced by the attached Growth Plan Amendment map, (Exhibit 1), is situated along the east side of Interstate 75 and adjacent to the north side of State Highway 61, and

WHEREAS, Rogers and County have been involved in a lengthy lawsuit over the denial of a rezoning application submitted by Rogers for property intended by Rogers for use as a rock quarry, asphalt plant and other commercial uses. (Anderson County Chancery Court Case Number 95CH3256) Rogers has subsequently petitioned Clinton for annexation of its property situated east of Interstate 75 and adjacent to the south side of Highway 61 (hereinafter, "Rogers Group Property"), and

WHEREAS, after County filed suit to contest the annexation of the Petitioners' Property and Rogers Group Property (hereinafter collectively, "Petitioned Property"), the Chancery Court of Anderson County issued a

restraining order and further ordered the parties to mediate the dispute in an attempt to resolve the issues at hand without a trial on the merits, and

WHEREAS, Clinton and County previously agreed in 2001 on a Twenty-year Growth Plan governing present and future municipal boundaries and areas to be excluded from municipal growth, and

WHEREAS, Petitioners and Rogers have developed and/or discovered potentially lucrative and substantial commercial development prospects for Petitioned Property. Such development is conditioned, in part, on the Petitioned Property being located within Clinton's municipal limits, and

WHEREAS, the Petitioners and Clinton have refused to resolve the dispute over development of Petitioners' Property without providing for the annexation of the Rogers Group Property as well, and

WHEREAS, all parties want to provide for the development of Petitioners' Property in order to provide enhancements to the communities, additional sales tax revenue and other considerations unique to the respective parties, and

WHEREAS, the parties have undertaken to mediate this dispute pursuant to the court order and were unsuccessful in reaching a resolution to on all issues contained in the lawsuit, and

WHEREAS, Clinton requested in June of 2004 that the Anderson County Growth Plan be amended and the statutory process outlined in T.C.A. § 6-58-104 was commenced, and

WHEREAS, the Anderson County Coordinating Committee convened to address the Growth Plan Amendment initiated by Clinton. Several meetings were held as well as the required public hearings. The Coordinating Committee eventually passed the amendment, but the Anderson County Commission rejected the proposed amendment, and

WHEREAS, the statutory process requires that the parties proceed to mediation when an impasse is declared; therefore, the parties attended the required mediation on the Growth Plan amendment held in Nashville on March 23rd and 24th of 2006, and

WHEREAS, On October 11, 2006 the three-judge mediation panel issued their decision in this case allowing Clinton to annex the Petitioned Property and agreeing that the County should receive shared sales tax revenues from Clinton. The three-judge panel also recommended that the parties follow the terms and condition embodied in this Master Settlement Agreement, and

WHEREAS, under Tennessee law the legislative bodies of the respective governmental parties must attempt to ratify or reject the mediation panel's decision. If the respective legislative bodies fail to ratify the Agreement, the parties are required to submit to binding arbitration where a Growth Plan will be adopted by a new three-judge panel, and

WHEREAS, pursuant to the decision of the three-judge mediation panel and specific mandates embodied in Tennessee law, this Agreement has been prepared for submission to the respective legislative bodies for approval or rejection, and

WHEREAS, this Agreement allows for a modification of the Anderson County Twenty-year Growth Plan, annexation of the Petitioners' Property and annexation of the Rogers Group Property by Clinton in exchange for a division of sales tax revenue to the County. Furthermore, this Agreement contains other mutual concessions and dismissals of all lawsuits subject to the terms recited below, and

WITNESSETH

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and among the parties to resolve their various disputes, lawsuits and concerns as follows:

Section 1: Annexation Agreement

County agrees to allow Clinton to annex the Petitioners' property located on the east side of I-75 and adjacent to the north side of State Hwy. 61. County agrees to allow Clinton to annex Rogers Group Property on the east side of

I-75 and along the south side of State Hwy. 61. Annexation shall be effective after and subject to the referendum process previously initiated by Clinton and approval of this Agreement by all parties. The parties are basing this entire Agreement upon an assumption that the Petitioned Property will develop and produce lucrative tax revenues. The parties shall otherwise comply with the continuing terms of this Agreement.

Section 2: Mutual Partnership for Development of Highway 61 corridor east of Interstate 75 interchange; Citizens Advisory Committee.

County and Clinton agree to enter into a mutual partnership for the development of the Highway 61 corridor and to use their best efforts to mutually plan uniform development intended to maximize commercial and industrial growth in the area while considering the future impact on the health, safety and welfare of the citizens and traveling public. Pursuant to the three-judge mediation panel's decision, both Clinton and County agree to appropriate a minimum amount of .05% annually of all sales tax revenues received from the Petitioned Property to beautify the area surrounding the Petitioned Property and the Interstate I-75/Hwy. 61 interchange.

Section 3: Agreement to Revise County Growth Plan

County and Clinton shall agree to approve the revised Anderson County Growth Plan as presented to the 2005 Growth Plan Coordinating Committee, attached hereto and incorporated herein as Exhibit 1.

Section 4: New Fire Hall

Clinton agrees to build a fire station in the vicinity of I-75 and State Hwy. 61 for the use and benefit of the surrounding businesses and residents.

Section 5: Division of Sales Tax Revenues for Future Development

Clinton agrees to divide with County, in perpetuity, Clinton's portion of the local option sales tax otherwise designated solely for Clinton's general fund as set forth in this paragraph. This division shall not affect or include the educational portion of the local option sales tax divided between the three (3) school systems operating in Anderson County, nor shall it include a division of alcohol or liquor by the drink revenues or any other license or permit fees collected by Clinton. This division of Clinton's portion of the local option sales tax designated to its general fund shall be distributed 87.5% to Clinton and 12.5% to County and shall apply to all property

annexed by Clinton east of I-75, except for businesses currently operating in the area on the date of execution of this Agreement.

Section 6: Division of Sales Tax Revenues for Existing Businesses

Clinton agrees that pursuant to state law, County will continue to receive annexation date sales tax revenues generated by existing businesses operating in the Petitioned Property at the time of annexation for a period of fifteen (15) years pursuant to T.C.A. §6-51-115. After expiration of the fifteen (15) year period, the local option sales tax division will convert to the formula outlined above in Section 5.

Section 7: Forgiveness of Past Sales Tax Claims

County agrees to forgive, and release all claims to past local option sales tax revenues generated from previous annexations along the Highway 61 corridor by Clinton from the Clinch River to Interstate 75.

Section 8: Waiver of Challenges to Past Annexation

Anderson County agrees not to challenge any prior annexations by Clinton along Highway 61 from the Clinch River to Interstate 75 and waives and releases all such claims.

Section 9: Other Taxes

This Agreement provides for a division of certain local option sales taxes between Clinton and Anderson County. This Agreement is not intended to impair, limit or adjust any other taxes collected presently or to be collected in the future by Clinton or County. The Parties remain free to impose or collect taxes presently authorized by state law, and lawfully collected, or which may be authorized in the future.

Section 10: Alcoholic Beverage Tax Revenues

The parties acknowledge that Clinton will receive additional tax revenue from alcoholic beverage taxes. The parties agree that alcoholic beverage tax revenues generated from the Petitioned Property, including, but not limited to, liquor by the drink tax, wholesale beer tax, local option mixed drink tax and local beer tax shall be assessed and distributed as provided by current state law.

Section 11: Division of Miscellaneous Revenue Sources in the form of Taxes, Permits, License and Inspection Fees.

County agrees that Clinton shall retain all miscellaneous revenue sources in the form of assorted taxes, permit, license and inspection fees as distributed and assessed according to current state law. These various permits, licenses and the like, along with the respective fees associated with same shall be collected by Clinton and County consistent with local and state law within Clinton's existing, or modified, municipal boundaries.

Section 12: Agreement to Expedite all Governmental Proceedings for the Benefit of the Fox Family and Other Petitioners for Annexation.

Recognizing the needs and desires of the Fox Family, other Petitioners, and Rogers Group to expedite all proceedings contemplated hereby, all parties agree to use their best efforts to expedite governmental and regulatory proceedings needed to approve and ratify the terms set forth in this Agreement without further delay.

Section 13: Agreement for Water and Sewer Utility Service

All parties agree that the Anderson County Utility Board, or its lawful successor, will continue to service the water and sewage utility needs of the Petitioned Property.

Section 14: Commitment to Continued Expansion and Development of Water and Sewer Service for Growth Area East of Interstate 75

County agrees to continue its commitment to expansion of the water and sewer lines developed and operated by the Anderson County Utility Board east of I-75 in an attempt to facilitate additional growth in the area. Clinton shall cooperate with ACUB's construction of additional utility infrastructure, the solicitation of customers and the provision of services within the Petitioned Property or any other location east of Interstate 75.

Section 15: Street Lights at I-75 Interchange

Clinton agrees to reimburse County its \$55,000.00 share paid to Clinton in 2001 related to the existing high mast streetlights located at I-75 and Hwy. 61 interchange. Clinton also agrees to assume all expenses related to streetlights, including, but not limited to, maintenance, repairs and electrical utility service.

Section 16: Future Annexations East of I-75 Along Hwy. 61 Corridor

County agrees to allow Clinton to continue to annex contiguous property to the Clinton City limits east of I-75 and adjacent to Hwy. 61, up to the amended Norris Urban Growth Boundary, provided that no property will be annexed without a request and petition from the majority of property owner(s) and residents.

Section 17: Dismissal of Pending Lawsuit

Anderson County agrees to dismiss its pending lawsuit with Clinton (Anderson County Chancery Case No. 04CH4226) in exchange for the approval of this Agreement by the Clinton City Council and compliance with the terms and conditions set forth herein.

Section 18: Mountain Road Interchange

The parties acknowledge concerns regarding additional truck traffic on Highway 61 associated with an operating quarry and asphalt plant. In an effort to minimize truck traffic and concerns about traffic safety, the parties mutually agree that an interstate exchange at Mountain Road would allow Rogers related truck traffic to enter and exit from Interstate 75 without interfering with traffic on Highway 61. All parties agree to use their best efforts to develop the Mountain Road Interchange for future industrial and commercial growth as well as to develop additional access to the David Jones and I-75 Industrial Parks. Parties agree to further express their interest in development of this future interchange in the form of a signed letter requesting state assistance and support addressed to the Governor and the Commissioner of the Tennessee Department of Transportation as well as Tennessee delegates to the U.S. Congress. This letter shall be written and delivered to the receiving parties within ninety (90) days of the execution of this Agreement. Copies of this letter shall be provided to all parties to this Agreement.

Section 19: Rogers Group Requirements, Restrictions and Concessions

The following required conditions for county rezoning, contained in Sections 20 through 44, have been developed as a result of extensive public comment, site visits, and public discussions with Rogers Group and Anderson County citizens regarding how to mitigate adverse impacts of any potential rezoning and to address issues raised by Anderson County citizens. These conditions shall be imposed by Clinton when considering any rezoning application filed by Rogers Group for the newly annexed area.

Rogers Group agrees to abide by and restrict its operations in conformity with this Agreement.

Section 20: Compliance with Site Plan

Rogers Group shall, at all times, comply with the site plan submitted to and approved by Clinton, except as modified by this Agreement.

Section 21: Plant Area Shall not be Visible from Roadways

The area designated as “plant area” shall be designed and constructed in accordance with the site plan and any applicable conditions, it being the intention that the crushing plant, asphalt plant, and other operations will not be visible in any material respect from Highway 61, Interstate 75, or the access ramps to or from Interstate 75.

Section 22: Site Plan Review; Verification of Visibility

Restrictions

As a part of the site plan review and approval, Rogers Group shall submit to the Clinton Planning Commission grading and site development plans showing the locations of structures, erosion and sediment control facilities, plant and stationary equipment, berms, landscaping, and entranceways to establish that the requirements of paragraphs 21 and 23 have been met. If there is any disagreement over whether the requirements have been met, Clinton shall be entitled to retain an independent engineering firm to make an independent review. If the plans are found to be in substantial compliance with this agreement, such review shall be at Clinton’s expense, if not, such review shall be at Rogers Group’s expense. Any review and report therefrom shall be completed and a copy delivered to Rogers within forty-five (45) days of the submission of plans, and if not, the requested permits shall be issued based on the plans submitted. The ultimate decision of whether or not to allow the Rogers’ rezoning will rest with the Clinton Planning Commission. Nothing shall prevent Rogers from subsequently modifying its plans to ensure compliance with this agreement and resubmitting them until approved, it being the intention of the parties to resolve any disagreement cooperatively if possible. Approval of the site plan and related submittals shall mean that construction and development in compliance therewith meets the requirements of this Agreement.

Clinton

Section 23: Plant Entrance; Landscaping

Rogers shall construct, simultaneously with development of the quarry, the entranceway, landscaping, gates and other infrastructure set forth on the

renderings and site plans submitted to Clinton. Rogers agrees that any site plan or rendering submitted to Clinton will be materially similar to those site plans previously submitted to County. Such plans shall show an entrance that complies in all material respects with previous site plans submitted to County. Rogers agrees that all berms and buffer zones shall be vegetated with grass and trees. Landscaping shall be maintained, neatly manicured and replaced as necessary to comply with the landscape plan. Rogers shall consult in good faith with Clinton and County as to future beautification projects for the area and in order to develop future landscape plans jointly.

Section 24: Compliance with State and Federal Environmental Regulations

All operations shall comply with the Clean Air Act and all other state and federal environmental regulations, and Rogers shall verify to County and Clinton prior to operations on the site, that the National Ambient Air Quality Permit, and other required permits and licenses, have been obtained from the Tennessee Department of Environment and Conservation (“TDEC”) and other regulating entities. All operations at the site shall comply with the Clean Water Act. There shall be no point source discharges of water from the site without a National Pollutant Discharge Elimination System permit. Sediment and erosion control facilities shall be installed and maintained to prevent pollution of Buffalo Creek. Nothing contained herein shall give the County or Clinton the right to enforce provisions of any state or federal law or regulation.

Section 25: Lighting

Lighting on the site shall be low impact and arranged in such a manner that it does not cast light into any adjoining residential area or interfere with the safety of the traveling public on roadways surrounding the facility.

Section 26: Days of Operation; Time Restrictions

There shall be no operations or sales on the Rogers Group site on Sunday. This condition may be waived in the event of a local, state or federal emergency requiring the use of materials from this site. Further, this requirement may be waived upon request from any local, state or federal transportation agency, but only to the extent of permitting the production sale and shipment of materials, but not including any blasting. Extraction, crushing, screening and other plant processing shall be limited to the hours of 7:00 a.m. to 7:00 p.m. from December 1st to February 28th and from 6:00 a.m. to 9:00 p.m. from March 1st to November 30th, Monday through Friday.

Rogers shall be entitled to crush, load and sell materials, but not to blast, or engage in pit operations, from 8 a.m. until 1 p.m. on Saturdays. Maintenance may be performed outside the operating hours specified herein. Notwithstanding anything to the contrary contained in this Agreement, Rogers shall be entitled to operate outside the hours set forth herein (but not on Sunday) to supply materials to any governmental project for which construction is done outside such hours. Rogers Group shall be entitled to request a waiver of these conditions for a specific job and County and Clinton shall consider such waiver in good faith, but shall not be obligated to grant it.

Section 27: Blasting Restrictions

All blasting on site shall be conducted between the hours of 10:00 a.m. and 4:00 p.m. and shall not be conducted on Saturday, Sunday or Holidays. Rogers shall use its best efforts to blast at a consistent time within these hours, where weather conditions and safety permit. Blasting at the site shall be limited to peak particle velocity of .5 inches per second measured at any existing inhabited structure not owned by Rogers. Peak particle velocity at any structure constructed after the date of this Agreement shall be governed by state and federal law. Rogers agrees to notify adjoining homeowners within 1,000 feet of any blasting activity prior to conducting blasting activities; to the extent such persons request notice. Rogers shall submit a plan to Clinton and County for the placement of at least three (3) permanent seismograph monitors at locations agreed to within the surrounding area. Rogers shall thereafter monitor each blast at such agreed locations. One of the locations shall be at Bethel Baptist Church. The results of such monitoring shall be available to the County and Clinton upon request. Monitoring results for the Bethel Baptist Church location shall be provided to the church upon its request. Rogers Group shall, upon the request by any property owner located within 2500 feet of any blasting activity, conduct seismographic monitoring at such property owner's house, making a written report of the results available to such owner, for a monitoring period of no less than five (5) days, after which monitoring may be discontinued if it shows full compliance with these conditions and federal and state requirements. Rogers shall not be required to monitor at more than two of these additional locations at any point in time. All seismographic readings shall be available to any interested person whose property might reasonably be affected by blasting at the site. Such persons shall be entitled to obtain the seismographic records by contacting the plant manager.

Section 28: Citizens Advisory Committee Review

The Bethel Community shall be allowed, at their option, to appoint or elect three (3) members from the community at-large to serve on a Citizens Advisory Committee. Rogers shall meet with the Citizens Advisory Committee on a quarterly basis, when requested, to review operations at the site and to discuss and address citizens' concerns. Rogers shall further appoint an employee as a contact person for such Citizens Advisory Committee and for any neighbor desiring to complain about any aspect of Rogers operation. The name and telephone number of such contact person shall be provided to the Citizens Advisory Committee at the first meeting and the committee shall thereafter be responsible for making such person's identity and telephone number available to the surrounding community.

Section 29: Fencing Requirements

A fence meeting the requirements of the Clinton Planning Commission shall be erected by Rogers Group to encompass and encircle all operational and pit areas on the Rogers Group site.

Section 30: Traffic Signal at Entrance

Rogers Group shall use its best efforts to obtain traffic signals at its entrance.

Section 31: Plant Entrance Requirements

The parties recognize that the location of the entrance to the Rogers Group quarry may be affected by development plans for the Fox property and therefore have established a corridor on the site plan in which Rogers shall be allowed to develop its entrance for its quarry and asphalt plant. Generally, the entrance shall be located at a point selected by Rogers, after consultation with the City and County, between the Rocky Top property and the Bethel Baptist Church property. The entrance to the quarry shall be paved from Hwy 61 to the scale house and shall be constructed in such a way to minimize interference with Bethel Baptist Church and the traffic circulation attendant to it.

Section 32: Wheel Washer; Clean-up of Roadway Debris

Rogers shall install a wheel washer to minimize any tracking of material onto public roads and shall clean up, expeditiously, any material spilled or tracked onto the public roads, commercially zoned property and the Rogers entrance road. All parties acknowledge that Rogers Group does not control Hwy. 61 and, for liability and other reasons cannot undertake responsibility to clean or maintain it.

Section 33: Rogers Group Southern Boundary

Rogers shall maintain a buffer of undeveloped and vegetated property for at least 300 feet along its southern border to the nearest property contiguous to its southern border on Bethel Road and Mountain Road and not owned by Rogers Group. Rogers shall build berms, with appropriate landscaping, in the buffer and construct clean water ponds in the buffer area. There shall be no requirement of a buffer between the quarry site and property owned by persons who consent to the reduction or elimination of the buffer requirement.

Section 34: Rogers Group Bethel Road Boundary

Rogers Group shall construct and maintain a buffer of at least 200 feet to the nearest property not owned by it along Bethel Road. Rogers shall build berms, with appropriate landscaping and to construct clean water ponds in the buffer area. There shall be no requirement of a buffer between the quarry site and property owners consenting to the elimination of the buffer requirement.

Section 35: Bethel Road and Mountain Road Access Restrictions

There shall be no access to the quarry operations or related uses of the quarry from Bethel Road, except to allow construction equipment to enter and leave the proposed quarry site during start-up and construction operations. Rogers shall promptly construct the contemplated Highway 61 entrance to the site and thereafter shall not use Bethel Road for construction or operational access. If the Mountain Road Interchange is developed, Rogers agrees to use Mountain Road as its primary access to the property and the parties consent to Rogers's use of Mountain Road under those circumstances. Nothing contained herein shall prevent Rogers or its customers and tenants from using such roads to make deliveries of materials to locations in the immediate vicinity.

Section 36: Explosive Storage

No explosives shall be stored on site overnight.

Section 37: Underground Storage Tank Evaluation

Rogers shall furnish Clinton and County with a qualified professional evaluation showing that its operations will not damage any underground storage tanks, water or sewage lines adjacent to the area surrounding the Interstate 75 and Hwy. 61 Interchange.

Section 38: Damage Claims to Homes and Property in the Area

Rogers agrees that if any property owner claims to have been damaged by blasting Rogers will investigate and repair property if needed. Any dispute between the property owner and Rogers shall be settled by binding arbitration before a single arbitrator, but only after Rogers has been given the opportunity to repair. Upon notice of such claim, Rogers shall first have the claim investigated within fifteen (15) days of receipt of notice. If the parties are unable to resolve the claim, the homeowner shall be entitled to ask that it be arbitrated. Rogers and the homeowner shall pick a professional suitable by training or experience, such as an engineer or blasting professional, to arbitrate the claim and his or her decision shall be final and binding. If the parties are unable to agree on an arbitrator they shall each pick someone and those persons shall select the arbitrator. If Rogers is found to have damaged the property the costs of the arbitrator shall be assessed against it. In all other cases the costs shall be assessed as determined by the arbitrator. Rogers shall not use an attorney in the arbitration proceeding, unless the property owner first elects to do so, in which event Rogers shall be free to do so.

Section 39: State-of-Art Asphalt Plant Technology

Rogers shall only construct an asphalt plant incorporating state-of-the-art technology designed to minimize noise, odor, vibration, shock, dust and harmful substances.

Section 40: Donation of Land for Fire Hall and Ambulance Station

Rogers agrees to donate land to Clinton in the amount of at least one-half acre, acceptable to Clinton and County, and reasonably accessible to Hwy. 61 for use as a fire hall.

Section 41: Minimum Severance Tax

Rogers agrees to guarantee payment to County of an annual minimum severance tax of no less than \$50,000 in the first year after commencement of commercial crushing and sales, with such amount escalating by \$10,000 each year thereafter until the minimum reaches \$100,000. In the event the actual mineral severance tax due the county exceeds the minimum set forth herein, Rogers shall pay to County the actual mineral severance tax due. The minimum amount set forth herein, and all other severance tax obligations shall cease whenever Rogers ceases operation of a quarry on site.

Section 42: Donation of Asphalt to County

Rogers agrees to donate to County \$10,000 of applied asphalt annually for a ten (10) year period intended to pave school parking lots and other County owned property. This obligation shall cease if Rogers discontinues operating a quarry on the property at any time during this ten (10) year period.

Section 43: Support of Community Groups

Rogers agrees to support community groups and nonprofit organizations operating in the Bethel, Norris or Andersonville areas by providing discounted or donated crushed rock or asphalt for public purposes.

Section 44: Billboard Site

Subject to TDOT regulations, Rogers shall construct a two sided standard bulletin display trivision billboard sign on its property and agrees to provide one face on one side clearly visible to the traveling public on Interstate 75, for the purpose of promoting Anderson County Tourism to the County free of charge. Anderson County shall be responsible for the particular advertisement on the billboard, the cost of constructing and installing such advertisement, and for maintenance of same. Rogers Group will provide reasonable access for County to the billboard. Rogers Group and County shall mutually agree to the billboard location.

Section 45: Attorney's Fees; Mediation Expenses, and Discretionary Costs

All parties to this Agreement shall be responsible for their own respective attorney's fees, mediation expenses and discretionary costs.

Section 46: Court Costs

All court costs will be paid by the plaintiffs in each case. In the case of Rogers Group v. Anderson County, Rogers Group will pay all court costs. In the case of Anderson County v. City of Clinton, et al, Anderson County will pay all court costs.

Section 47: Dismissal of all Claims and Lawsuits

Rogers Group will dismiss with prejudice its lawsuit against Anderson County previously referenced herein. Anderson County will dismiss with prejudice their lawsuit against Clinton, Rogers Group, Petitioners and members of the Clinton City Council previously referenced herein.

Section 48. Default.

In the event of default of any party hereto, any non-defaulting party may bring suit against the other to enforce the terms of this Agreement. In such event, the prevailing party shall be entitled to any remedies available at law and/or equity, including the reasonable attorney's fees and the costs associated with the default.

Section 49: No Oral Modification.

No modification, amendment, supplement to or waiver of this Agreement or any of its provisions shall be binding upon the parties hereto unless made in writing and duly signed by all parties.

Section 50: Waiver.

A failure of any party to exercise any right provided for herein, shall not be deemed to be a waiver of any right hereunder.

Section 51: Entire Agreement.

This Agreement sets forth the entire understanding of the parties as to the subject matter and may not be modified except in a writing executed by all parties.

Section 52: Severability.

In the event any one or more of the provisions of this Agreement is invalid or otherwise unenforceable, the enforceability of remaining provisions shall be unimpaired.

Section 53: Cancellation.

In the event any party materially breaches, defaults or fails to perform hereunder, this Agreement may be canceled by the other party with cause on thirty (30) days written notice to the other in the event the breach, default or if a failure is not cured during that time, or if the party does not commence to cure within that time and diligently pursue the cure to completion thereafter. In the event of cancellation, the parties shall be returned to their position prior to this Agreement. Provided, however, that a breach by a party other than Rogers Group shall not affect or diminish Rogers Group's rights hereunder, which shall remain in full force and effect.

Section 54: Exhibits. Any Exhibits attached hereto or incorporated herein are made a part of this Agreement for all purposes. The expression "this Agreement" means the body of this Agreement and the Exhibits.

Section 55: Multiple Counterparts; Effectiveness.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed, collectively, one Agreement. This Agreement shall become effective when executed and delivered by all the parties.

Section 56: Jurisdiction.

Each party hereby irrevocably consents to the jurisdiction of all state courts sitting in Anderson County, Tennessee or all federal courts sitting in Knoxville, Tennessee and agrees that venue for any legal action brought in connection with this Agreement shall lie exclusively in such courts.

Section 57: Binding Effect.

This Agreement shall be binding upon and inure to the benefit of the parties and upon their respective successors, heirs or assigns.

Section 58: Choice of Law.

This Agreement shall be governed and construed in accordance with the laws of the State of Tennessee.

Section 59: Notice. Any notice required or provided pursuant to this Agreement shall be in writing and sent or delivered to the parties.

Section 60: Titles and Subtitles.

Titles of paragraphs and subparagraphs are for convenient reference only and shall not have the effect of modifying, amending or changing the express terms of this Agreement.

Section 61: Assignment.

This Agreement shall be assignable only upon the written consent of the non-assigning party. Consent to an assignment shall not be unreasonably withheld. In the event of assignment or succession, the terms and conditions of this Agreement shall be binding upon the parties and their successors, assigns, heirs, executors and/or administrators.

Section 62: Further Documentation.

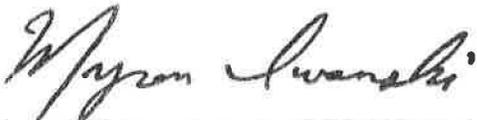
The parties agree for themselves and their successors and assigns to execute any and all instruments in writing, which are or may become necessary or proper to carry out the purpose and intent of this Agreement.

Section 63: Release and Hold Harmless.

The parties mutually agree that they shall and do hereby release, forever discharge and hold harmless one another as well as the employees, agents and counsel for one another from any and all claims whatsoever, both known and unknown that may have existed prior to the execution of this Agreement or that may arise from the lawsuits or circumstances referenced herein. The only claim that shall survive this Agreement is compliance with this Agreement.

IN WITNESS WHEREOF, the parties hereto, each acting under due and proper authority, and pursuant to authorization by their respective governing legislative bodies, have executed this Agreement.

ACCEPTANCE BY ANDERSON COUNTY:


Myron Iwanski, Chair – Anderson Co. Commission


Rex Lynch, Anderson Co. Mayor

APPROVED AS TO FORM:


Jay Yeager, County Law Director

ATTEST:

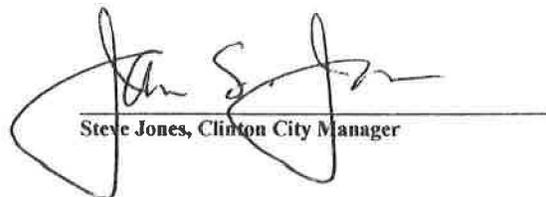

Jeff Cole, Anderson Co. Clerk



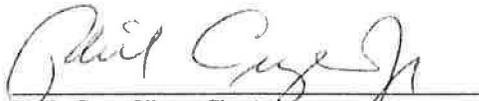
The seal of Anderson County, Tennessee, is circular with "ANDERSON COUNTY" at the top and "TENNESSEE" at the bottom. The center features a cross with four quadrants: top-left shows a factory (Industry), top-right shows a plow (Agriculture), bottom-left shows a cow (Livestock), and bottom-right shows a steamship (Commerce). The year "1807" is at the bottom of the seal.

ACCEPTANCE FOR THE CITY OF CLINTON:

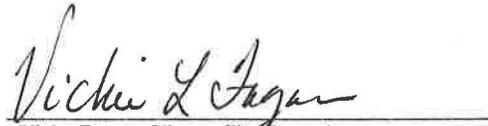

Winfred "Wimp" Shoopman, Clinton Mayor


Steve Jones, Clinton City Manager

APPROVED AS TO FORM:


Philip Crye, Clinton City Attorney

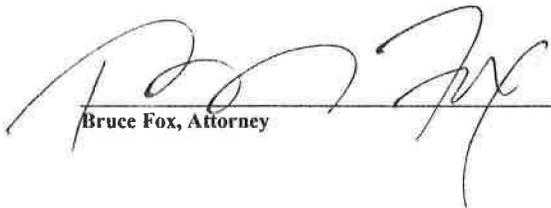
ATTEST:

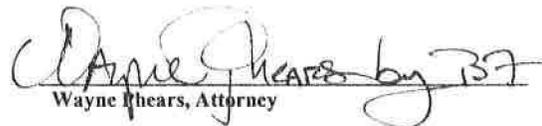

Vicky Fagan, Clinton City Recorder

ACCEPTANCE FOR ROGERS GROUP:

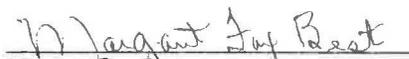

Dave Rechter


Mark Stephens

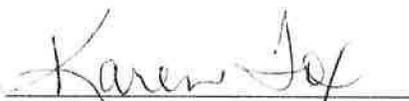

Bruce Fox, Attorney


Wayne Phears, Attorney

ACCEPTANCE FOR FOX FAMILY:


Margaret Fox Best


Ronald Fox


Karen Fox


Stanley Grubb

Rebecca Grubb
Rebecca Grubb

Jacob Hogue
Jacob Hogue

Patricia Hogue
Patricia Hogue

Wayne McKinney
Wayne McKinney

Debra A McKinney
Debra McKinney

Margaret Fox Best
For FHG Enterprises, General Partner

Stanley Fox
Attorney

Stanley Fox
Stanley Fox



ANDERSON COUNTY

REX LYNCH
COUNTY MAYOR

December 17, 2007

Tim Roach
Local Government Planning Office
10th Floor
Wm. Snodgrass Tennessee Tower Building
312 8th Avenue North
Nashville, TN 37243-0405

Dear Mr. Roach,

On behalf of the Anderson County Coordinating Committee, I am pleased to submit two copies of the current Anderson County Growth Plan for approval by the Local Government Planning Advisory Committee at their next regularly scheduled meeting. The enclosed map incorporates the requested clarification of proposed UGBs for the City of Norris and the City of Clinton in the area immediately east of Interstate 75 near exit 122.

If you have any questions please feel free to contact me at 457-6200 or Brian Jenks in the Planning and Zoning Office at 463-6870.

Sincerely,

Rex Lynch
Anderson County Mayor
Chairman, Anderson County Coordinating Committee



State of Tennessee
Department of Economic and Community Development
Division of Community Development
Local Planning Assistance
Wm. R. Snodgrass TN Tower, 10th Floor
312 Eighth Avenue North
Nashville, Tennessee 37243-0405
(615) 741-2211/Fax: (615) 741-0607

Tim Roach
Director of Local Planning Assistance

November 9, 2007

Mayor Rex Lynch
Anderson County Courthouse, Room 208
100 N. Main Street
Clinton, Tennessee 37716

RE: Removal of Amended Anderson County Growth Plan from LGPAC Agenda

Mayor Lynch:

I am the Director of the Local Planning Assistance Office and also Staff to the Local Government Planning Advisory Committee. This Committee is required by State law to approve all County Growth Plans and amendments under Public Chapter 1101. Anderson County has, of course, been working to amend its county-wide growth plan, and had declared an impasse over a particular amendment, with assistance requested from the Administrative Procedures Division of the Secretary of State's office. It is my understanding all issues have been resolved and the APD office has informed me there was no need to impose a growth plan on the county, as all local government have come to agreement. The only step remaining for final approval of the growth plan is action by the LGPAC. In a letter to Thomas Stovall, Director of the APD, Anderson County Attorney Jay Yeager transmitted a Master Settlement Agreement to settle the dispute with Clinton, but Mr. Yeager indicated he wished to proceed "...without going through the LGPAC approval process". (Yeager letter to James A. Hornsby, October 1, 2007). If the Agreement involves the alteration of an Urban Growth Boundary, then the Anderson County Growth Plan itself must be amended. There is no method within State law to amend a growth plan without a vote of approval from LGPAC.

Although the Anderson County growth plan was on the LGPAC agenda in October, the item was removed from the agenda with no formal action taken. LGPAC must have, at a minimum, a map that accurately describes and depicts the various growth boundaries in the county. We have been provided no such map. LGPAC cannot fulfill its obligations until Anderson County provides a map in a format appropriate for action, and until such time as it can, the growth boundaries in Anderson County remain fixed at the last point of approval, which was June 30, 2006.

I have made several attempts to contact you with no success. I have also instructed my Local Planning East Tennessee Regional Director, Sheryl Ely, to try to make contact with you to offer our services in preparing a map that can be approved. Local Planning's involvement is not required for approval, but would be advisable as we can work with your County to prepare a map that can settle this issue at the next regular meeting, scheduled for January 23, 2008.

Please contact me at (615) 741-2211 at your convenience if you have questions, or Mrs. Ely at (865) 594-6666.

Sincerely,

A handwritten signature in black ink that reads "Tim Roach".

Tim Roach
Director

CC: Sheryl Ely
Honorable James A. Hornsby
Honorable Thomas G. Stovall



State of Tennessee
Department of State
Administrative Procedures Division
312 Eighth Avenue North
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243
Phone: (615) 741-7008 Fax: (615) 741-4472

MEMORANDUM

TO: Kathryn Baldwin
Local Government Planning Advisory Committee

FROM: Thomas G. Stovall, Director *TGS*
Administrative Procedures Division

DATE: October 5, 2007

RE: **Anderson County Comprehensive Growth Plan
Dispute Resolution Process**

The Anderson County Board of Commissioners declared an impasse with the City of Clinton on August 15, 2005, with respect to the adoption of a proposed amendment to the Anderson County Growth Plan. Pursuant to Tenn. Code. Ann §6-58-104(b), the Anderson County Coordinating Committee notified the Secretary of State of the impasse and requested that the matter be referred to the Administrative Procedures Division for resolution in accordance with the statute.

The parties reached an agreement on November 20, 2006, which was filed in the Administrative Procedures Division on October 4, 2007. With the parties' resolution of the impasse as evidenced by the attached Master Settlement Agreement, I am forwarding the comprehensive growth plan to your committee for consideration.

Please do not hesitate to contact me should you have any questions in regard to this matter.

Attachments

cc: (w/o attachment)
N. Jay Yeager

**OFFICE OF THE COUNTY LAW DIRECTOR
ANDERSON COUNTY, TENNESSEE**

101 South Main Street, Suite 310
CLINTON, TENNESSEE 37716

N. JAY YEAGER
Law Director

TELEPHONE: (865) 457-6290
FACSIMILE: (865) 457-3775
Email:

October 1, 2007

VIA U.S. MAIL

The Honorable James A. Hornsby Administrative Law Judge
State of Tennessee, Department of State
Administrative Procedures Division
312 Eighth Avenue North
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243

RE: Anderson County Urban Growth Plan

Dear Judge Hornsby:

As you well know, Anderson County and the City of Clinton have been embroiled in a lengthy legal battle over amendments to the Anderson County Growth Plan. Both sides attempted to mediate their respective disputes in front of a three-judge panel in the spring of 2006. At the recommendation of the panel, both sides continued to discuss their concerns in hopes of working toward a successful resolution.

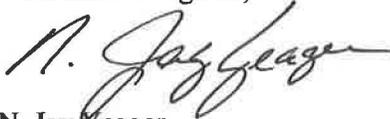
I am pleased to announce to you that all parties have reached a compromise position and have entered into an agreement memorializing this settlement. The respective local legislative bodies have also approved the Growth Plan. I have attached a copy of the Master Settlement Agreement for your review and approval.

Pursuant to Tennessee law the Growth Plan still needs to be approved by the Local Government Planning Advisory Commission (LGPAC), unless you sign off on the agreement allowing us to proceed without going through the LGPAC approval process.

At this time, we are requesting that you approve the Anderson County Growth Plan and notify LGPAC Director Dan Hawk of your decision. This will allow all parties to proceed with their plans for the subject area without the need for attendance at the upcoming fall LGPAC meeting in Nashville.

I look forward to hearing from you regarding our request in the near future. Please feel free to contact me if I can provide additional information or answer any concerns you may have.

With kindest regards,



N. Jay Yeager

Enclosure: Master Settlement Agreement 19 pages

RECEIVED
2007 OCT -4 PM 2:20
SECRETARY OF STATE

**OFFICE OF THE COUNTY LAW DIRECTOR
ANDERSON COUNTY, TENNESSEE**

101 South Main Street, Suite 310
CLINTON, TENNESSEE 37716

N. JAY YEAGER
Law Director

TELEPHONE: (865) 457-6290
FACSIMILE: (865) 457-3775
Email:

October 1, 2007

VIA U.S. MAIL

The Honorable James A. Hornsby Administrative Law Judge
State of Tennessee, Department of State
Administrative Procedures Division
312 Eighth Avenue North
8th Floor, William R. Snodgrass Tower
Nashville, Tennessee 37243

RE: Anderson County Urban Growth Plan

Dear Judge Hornsby:

As you well know, Anderson County and the City of Clinton have been embroiled in a lengthy legal battle over amendments to the Anderson County Growth Plan. Both sides attempted to mediate their respective disputes in front of a three-judge panel in the spring of 2006. At the recommendation of the panel, both sides continued to discuss their concerns in hopes of working toward a successful resolution.

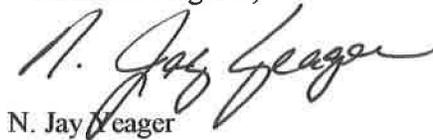
I am pleased to announce to you that all parties have reached a compromise position and have entered into an agreement memorializing this settlement. The respective local legislative bodies have also approved the Growth Plan. I have attached a copy of the Master Settlement Agreement for your review and approval.

Pursuant to Tennessee law the Growth Plan still needs to be approved by the Local Government Planning Advisory Commission (LGPAC), unless you sign off on the agreement allowing us to proceed without going through the LGPAC approval process.

At this time, we are requesting that you approve the Anderson County Growth Plan and notify LGPAC Director Dan Hawk of your decision. This will allow all parties to proceed with their plans for the subject area without the need for attendance at the upcoming fall LGPAC meeting in Nashville.

I look forward to hearing from you regarding our request in the near future. Please feel free to contact me if I can provide additional information or answer any concerns you may have.

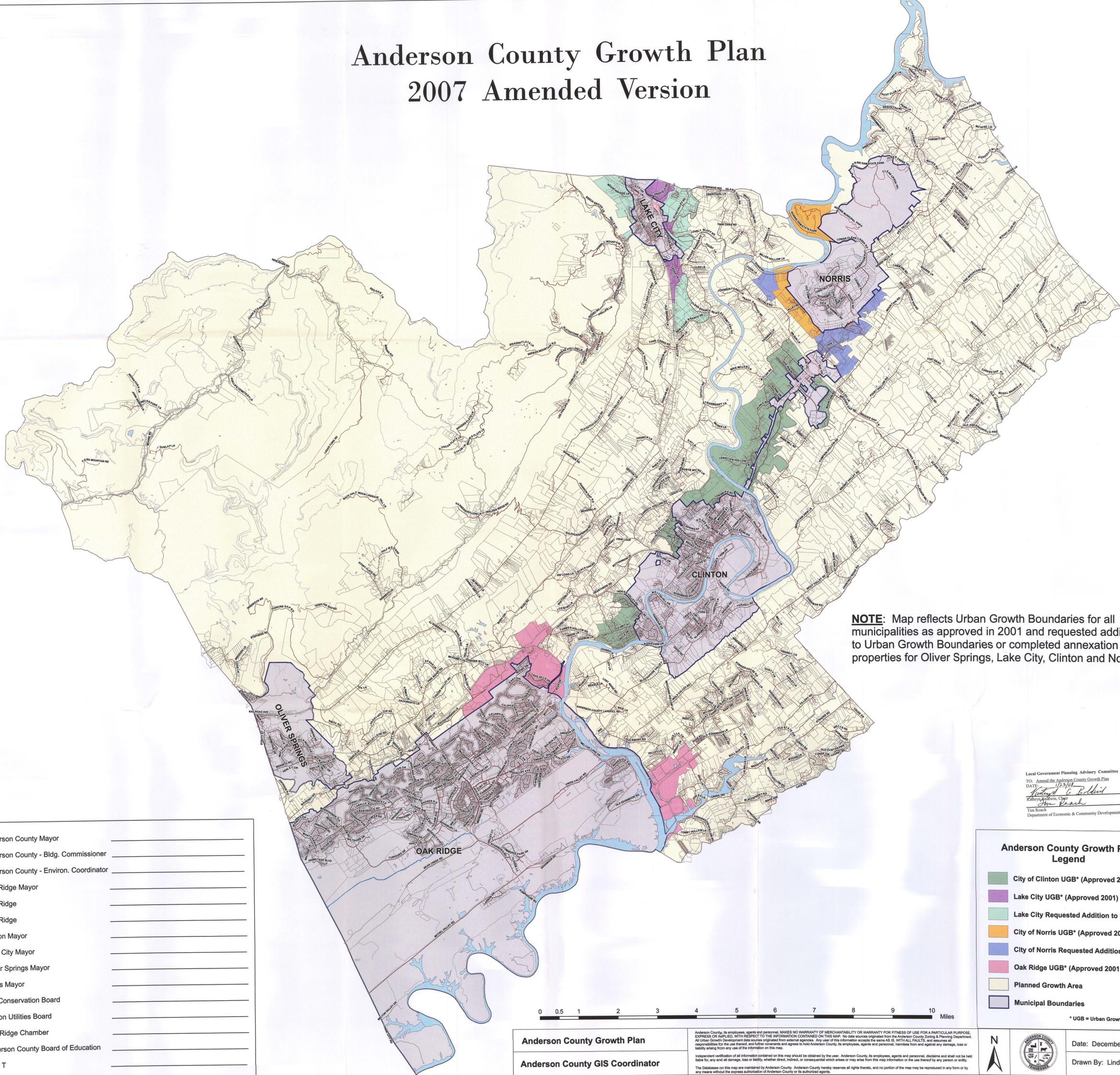
With kindest regards,



N. Jay Yeager

Enclosure: Master Settlement Agreement 19 pages

Anderson County Growth Plan 2007 Amended Version



NOTE: Map reflects Urban Growth Boundaries for all municipalities as approved in 2001 and requested additions to Urban Growth Boundaries or completed annexation of properties for Oliver Springs, Lake City, Clinton and Norris.

Local Government Planning Advisory Committee
 TO: Amend the Anderson County Growth Plan
 DATE: 11/25/08
 Kathy Williams, Chair
 Tim Rosch
 Department of Economic & Community Development

- Anderson County Mayor _____
- Anderson County - Bldg. Commissioner _____
- Anderson County - Environ. Coordinator _____
- Oak Ridge Mayor _____
- Oak Ridge _____
- Clinton Mayor _____
- Lake City Mayor _____
- Oliver Springs Mayor _____
- Norris Mayor _____
- Soil Conservation Board _____
- Clinton Utilities Board _____
- Oak Ridge Chamber _____
- Anderson County Board of Education _____
- AT & T _____



Anderson County Growth Plan Legend

- City of Clinton UGB* (Approved 2001)
- Lake City UGB* (Approved 2001)
- Lake City Requested Addition to UGB*
- City of Norris UGB* (Approved 2001)
- City of Norris Requested Addition to UGB*
- Oak Ridge UGB* (Approved 2001)
- Planned Growth Area
- Municipal Boundaries

* UGB = Urban Growth Boundary

Anderson County Growth Plan
 Anderson County GIS Coordinator

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Date: December 17, 2007
 Drawn By: Linda Leonard

Chris Hepler
Mayor

Joseph Van Hook
City Recorder / Judge

David Bolling
City Manager

Ramona Walker
Court Clerk/Finance Officer

Town of Oliver Springs

701 Main Street -P.O. Box 303
Oliver Springs, TN 37840

Ph (865) 435-7722 Fax (865) 435-4881

Aldermen
Robert Miller
Maurice Walker
Omer Cox
Terry Craze
Paul Fox
James Brummett

February 11, 2009

Mayor Rex Lynch
100 North Main Street
Room 200
Clinton, TN 37716

Mayor Lynch,

Please allow this letter to serve as official notification that the Oliver Springs Town Council, meeting in regular session on February 5, 2009, ratified the proposed change to the Urban Growth Boundary, as submitted by the City of Clinton.

If you have any questions, or if I can be of further assistance, please don't hesitate to contact me.

Sincerely,



David L. Bolling
City Manager
Town of Oliver Springs

Cc: Steve Jones, Clinton City Manager

RESOLUTION NO. 633

**A RESOLUTION RATIFYING THE AMENDED GROWTH PLAN FOR
ANDERSON COUNTY, TENNESSEE**

WHEREAS, the growth plan for Anderson County was legally adopted under the procedures stipulated in Section 6-58-101 through 6-58-115 of the Tennessee Code Annotated and approved by the Local Governmental Advisory Committee in 2001;

WHEREAS, the Anderson County Growth Plan has been guiding growth and development for over three years;

WHEREAS, Section 6-58-104(d)1 of the Tennessee Code Annotated allows amendment of growth plan following initial approval and the passing of three years;

WHEREAS, the consensus of the local governments is that unforeseen circumstances related to growth and development and the provision of public services to areas have created the need to amend the growth plan;

WHEREAS, the Anderson County Coordinating Committee has reviewed the amended growth plan, held two (2) public hearings;

WHEREAS, Section 6-58-104(4) of the Tennessee Code Annotated requires that a growth plan be ratified by all local governments within Anderson County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED that the Board of Mayor and Alderman of the City of Clinton, Tennessee hereby ratifies the amended Anderson County Growth Plan.

RESOLVED, this the 26th day of January, 2009

APPROVED:



Mayor Winfred Shoopman

ATTEST:



Vickie Fagan, City Recorder

CITY OF
OAK RIDGE



OFFICE OF THE MAYOR

Telephone (865) 425-3432

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

February 10, 2009

The Honorable Rex Lynch
Anderson County Mayor
Chairman, Anderson County Growth Plan
Coordinating Committee
100 North Main Street, Suite 208
Clinton, TN 37716

Dear Mayor Lynch:

Enclosed is a copy of Resolution Number 2-11-09 as unanimously adopted by the Oak Ridge City Council during its regular session on February 9, 2009. With the adoption of this resolution, the Council has ratified the *Anderson County Growth Plan, 2009 Amended Version*, as delineated on the map provided by your office.

Please advise if any further action is required by the City of Oak Ridge.

Sincerely,


Thomas L. Beehan
Mayor

Enclosure

RESOLUTION

WHEREAS, by adoption of Resolution No. 4-64-01 on April 2, 2001, the Oak Ridge City Council ratified the Anderson County Growth Plan, as amended by the negotiations between the parties during mediation hearings held on March 22-23, 2001; and

WHEREAS, on January 5, 2009, the Anderson County Coordinating Committee approved a proposed change to the Urban Growth Boundaries (UGB) for the City of Clinton; and

WHEREAS, Section IC, Item 4, of the State's guidance document entitled, "Growth Policy, Annexation, and Incorporation Under Public Chapter 1101 of 1998," provides that the recommended growth boundary changes are to be forwarded to the county and municipal governing bodies within the county to either ratify or reject; and

WHEREAS, a map titled *Anderson County Growth Plan, 2009 Amended Version*, which delineates the proposed UGB change has been provided to the City of Oak Ridge for review; and

WHEREAS, the City Manager recommends that the amended growth plan, as delineated on said map, be ratified.

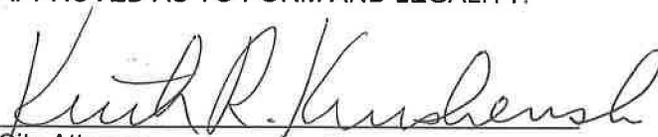
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the *Anderson County Growth Plan, 2009 Amended Version*, dated January 1, 2009, is hereby ratified.

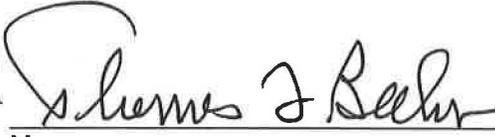
BE IT FURTHER RESOLVED that the Mayor is directed to transmit a certified copy of this resolution to the Anderson County Mayor, who serves as Chairman of the Anderson County Coordinating Committee, as documentation of this Council's approval of said Plan.

This the 9th day of February 2009.

APPROVED AS TO FORM AND LEGALITY:



City Attorney



Mayor



City Clerk

I, Jacquelyn J. Bernard, City Clerk of the City of Oak Ridge, Tennessee, certify this document to be a true and exact copy of Resolution No. 2-11-09 as adopted by the Oak Ridge City Council on February 9, 2009.

Given under my hand and official seal of the City of Oak Ridge, Tennessee, this the 10th day of February, 2009.



City Clerk

James S. (Steve) Jones
City Manager

Vickie L. Fagan
Finance Director / City Recorder

E. Curtis Perez
Codes Enforcement Officer



Winfred E. Shoopman
Mayor

City Council

Clay Wright, Sr.
Scott Burton
Charlie Lyons
Larry Gann
Jerry H. Shattuck
Jim McBride

June 18, 2008

Rex Lynch
Anderson County Mayor
100 North Main Street, Suite 208
Clinton, TN 37716

Re: Reconvening of the Anderson County Coordinating Committee

Dear Mr. Lynch,

The Fox Family has purchased an eleven acre parcel outside of Clinton's Urban Growth Boundary (UGB) that they would like to have annexed into the City of Clinton. Under the Chapter 1101 guidelines this action requires a reconvening of the Anderson County Coordinating Committee.

This request has been approved by both the Clinton City Council and the Norris City Council and serves as a formal request to you to take the appropriate action to see that the reconvening of the committee is carried out in a timely manner per Tennessee Chapter 1101 guidelines.

Please contact me if you have any additional questions or comments.

Sincerely,

James S. Jones
City Manager
Clinton, TN

Charlie Lyons
315 Orchard Ave.
Clinton, TN 37716

Aug. 22, 2008

City Manager
Steve Jones:

This letter is to inform you that I request the City of Clinton to put my property at 216 Joe Owens Road in the Clinton City proposed growth plan. I would like this done so that I will not have any problem having the property annex at a later date.

Thank You

Charlie Lyons



Phone: 457-1803

Cell: 567-6254

Map 43
2.94
Parcel 66.02

Nancy Rhyne
Twin Gables Antique Inc.
P.O. Box 97
Clinton, TN 37717

Aug. 22, 2008

City Manager
Steve Jones:

This letter is to inform you that I request the City of Clinton to put my property at 119 Joe Owens Road (Twin Gables Antiques Mall Inc.) in the Clinton City proposed growth plan. I would like this done so that I will not have any problem having the property annex at a later date.

Thank You



Phone: 494-8078

363-9552

Map 43

Parcel 67.01
224

is made subject to all applicable restrictions, easements and building setback lines of record in the ANDERSON County Register's Office.

This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose.

In Addition, this sale shall be subject to the right of redemption by the TENNESSEE DEPARTMENT OF REVENUE, TAX ENFORCEMENT DIVISION, pursuant to T.C.A. 67-1-1433:© (1) by reason of the following tax lien(s) of record in: Book 1473, Page 584. Notice of the sale has been given to the State of Tennessee in accordance with T.C.A. 67-1-1433(b)(1). SUBORDINATE LIEN-HOLDERS:

Tennessee Asphalt

DATED: AUGUST 31, 2008
Insertion Dates:
AUGUST 31, 2008
SEPTEMBER 7, 2008
SEPTEMBER 14 2008
0831-51-3

PUBLIC HEARING NOTICE

Anderson County Water Authority
The Anderson County Mayor will conduct a public hearing on September 4, 2008 at 6:30 pm at the Courthouse in Room 312 to discuss consolidation of the North Anderson County Utility District and the Anderson County Utility Board.

0831-46-2

PUBLIC HEARING

A Public Hearing is scheduled for the City of Clinton Urban Growth Committee. The purpose is to review the proposed expanded growth boundaries for the City of Clinton. The public hearing will be September 15, 2008 at 5:15 pm at Clinton City Hall. The public is invited and will be heard.

0831-50-1

SEPTEMBER 9, 2008
6:30 P.M.

The Anderson County Regional Planning Commission will hold the September 9, 2008

meeting @ 6:30 P.M. in Room #312 of the Anderson County Courthouse to consider the following:
CALL TO ORDER
ROLL CALL OF MEMBERS
APPROVAL OF MINUTES
ROLL CALL OF AGEN-DA
AGENDA:

DARRELL PEGGY & DAVID WARD: 220 Bunch Lane, Clinton, TN. 37716;
Final Plat Review. (M88, p89, A-1)
DOUGLAS POLKOW: Hagaman Lane, Andersonville, TN. 37705; Final Plat Review. (m31, p24&25, zA-2)
WAYNE & THURMAN WEAVER: 145 Sanford Lane, Clinton, TN. 37716; Final Plat Review. (M54, p122.02, a5, zA-2)
J.D. FRANK & EVELYN WATTS: 201 Moose Trail Lane, Powell, TN. 37840

obligations secured to be paid by that certain Deed of Trust executed on January 9, 2004, by Randal G. Hooks & Lisa A. Hooks to Tommy R. Lynch, Trustee, as same appears of record in the Register's Office of Anderson County, Tennessee, under Book 1357, Page 3717, ("Deed of Trust"); and WHEREAS, SunTrust Mortgage Inc., the current owner and holder of said Deed of Trust, (the "Owner and Holder"), appointed the undersigned, Nationwide Trustee Services, Inc., as Substitute Trustee by instrument filed for record in the Register's Office of Anderson County, Tennessee, with all the rights, powers and privileges of the original Trustee named in said Deed of Trust; and NOW, THEREFORE, notice is hereby given that the entire indebtedness has been declared due and payable as provided in said Deed of Trust by the Owner and Holder, and that the undersigned, Nationwide Trustee Services, Inc., Substitute Trustee, or his duly appointed attorneys will sell and as Substitute The right is adjourn the sale to another date and place to be announced upon announcement the time and the sale set for THIS LAW FURTHER TEMPTING TO SELECT A DEFERRED INFORMATI ON THAT I Nationwide Trustee Services, Inc., Trustee c/o Nationwide Trustee Services, Inc. 158 Expressway A 30329 (770) (ext.1616) M: 221.0622207 tion Dates: 08/31/2008 a 0831- SUBST TRUS SA WHEREAS ing been ma ment of th obligation be paid by

0831-50-1

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 1 consecutive weeks in The Courier-News on the following dates:

8/31/08

Signed Jenny Sullivan Publisher

Subscribed and sworn to before me this, the 3rd day of September, 2008

Jenny Sullivan Notary Public
My Commission Expires 2/25/09

1005-2-1

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 1 consecutive weeks in The Courier-News on the following dates:

10/05/08

Signed *Don Bridgeman*
Publisher

Subscribed and sworn to before me this, the 17th
day of October, 2008

Kenny Sullivan
Notary Public
My Commission Expires 2/25/09



PUBLIC NOTICE
The Clinton Regional Planning Commission will meet on Monday, October 13, 2008 at 6:00pm at the Clinton City Hall, to consider the following:
CALL TO ORDER
APPROVAL OF MINUTES
DEFERRED BUSINESS:

on Monday, October 13, 2008 at 6:00 pm at the Clinton City Hall, to consider the following:
CALL TO ORDER
APPROVAL OF MINUTES
DEFERRED BUSINESS:
1. APPLICANT - PAT HUTCHESON REQUESTING FRONT SETBACK VARIANCE TO 0 FEET FOR DETACHED CARPORT LOCATED AT 504 PARK AVENUE, (MAP 65 OE, PARCEL 2.00) THE PROPERTY IS ZONED R-2.
2. APPLICANT - J.M. TURLEY REQUESTING VARIANCE FOR SECOND DRIVEWAY LOCATED AT 336 BLOCKHOUSE VALLEY RD. (MAP 82 OF, PARCEL 23.02) THE PROPERTY IS ZONED R-2.
NEW BUSINESS:
1. APPLICANT - KIMBERLY NEWPORT REQUESTING USE REVIEW FOR PROPOSED DAYCARE LOCATED AT SUNSET ROAD. (MAP 74 ID, PARCEL 6.01) THE PROPERTY

NOTICE OF PUBLIC SALE
Northside Properties, 2629 Clinton Hwy., Suite 100, Powell, TN 37849 will conduct a public auction on October 11, 2008, at 9:00 am SHARP at the above location to satisfy owners lien for the following units:
Sandra Head H-11
Mashon Hall F-28
1005-6-2

ANDERSON COUNTY REGIONAL PLANNING COMMISSION AGENDA FOR OCTOBER 14, 2008 6:30 P.M.

The Anderson County Regional Planning Commission will hold the October 14, 2008, meeting @ 6:30 P.M. in Room # 312 of the Anderson County Courthouse to consider the following:

CALL TO ORDER
ROLL CALL OF MEMBERS
APPROVAL OF MINUTES
ROLL CALL OF AGENDA

AGENDA:
J.D. FRANK & EVELYN WATTS: 201 Moose Trail Lane, Powell, TN. 37849; Final Plat Review. (m103, p13.35/13.36, a1.40, zA-2)

RICKY & MARY SMITH: 215 Better Chance Lane, Lake City, TN 37769; Final Plat Review. (M18-F, p15/16, zR-1-S)

ance for rear setbacks on storage building, Survey attached. (M53, p41.03, a.90, zA-1)
OLD BUSINESS:
NEW BUSINESS:
ADJOURNMENT:
1005-4-2

DELINQUENT PROPERTY TAX SALE

The delinquent sale of unpaid Anderson County, Norris, and the City of Oak Ridge property taxes for the tax year 2005 will be held on Saturday, October 11, 2008, beginning at 10:00 a.m. at the Anderson County Courthouse in Clinton, Tennessee, in the Chancery Courtroom. Any property owners with unpaid taxes have until that time to pay their taxes before the County Begins auctioning the property. There are currently 101 Parcels to be auctioned in the delinquent property tax sale. More information on the land available may be picked up from the Clerk and Master's Office in the County Courthouse.

1005-3-1

PUBLIC HEARING

A second Public Hearing is scheduled for the City of Clinton Urban Growth Committee. The purpose is to review the proposed expanded growth boundaries for the City of Clinton. The public hearing will be October 20, 2008 at 5:15 pm at Clinton City Hall. The public is invited and will be heard.

1005-2-1

Book 1143 P being more described & designated as (containing on the plat of city of Oak nessee, subd as shown on SD C-13, pre chael Baker, recorded in Plat Book 1 60, in the R fice of Ander Tennessee, be grantees in Page 995, A 029 Map & Pl 099CA029 **PROPER DRESS:** 36 Outer Drive, Tennessee 37 **CURRENT:** Rebecca S. I Wayne Libby **SUBORDIN HOLDER Mortgage Co** **OTHER IN PARTIES:** All right an redemption, otherwise, and dower a waived in s Trust, and th lieved to be ever, the und sell and cor Substitute T The sale will ject to any t assessment: way, easeme covenants of liens, and o matters of r may affect s as well as ar or encumbr as priority (fixture filing matter that survey of t might disclo If the U.S. I Treasury/IR of Tennessee of Revenue, of Tennessee of Labor ar Developme as Interest advertisement Notice of th is being give the sale will the applica mental enti redeem the

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EOE
AEROTEK
Commercial Staffing

Work In Quality Control!

IMMEDIATE INTERVIEWS THURSDAY, October 9th

Tennessee Career Center
599B Oak Ridge Turnpike
Oak Ridge, TN

Open Interviews 10:00 AM - 2:00 PM

IMMEDIATE INTERVIEWS WALK-INS WELCOME!

Sort and inspect parts for the automotive industry

Can't Make It?

Call Chad to schedule your alternate interview time at 1-866-872-0563 (Press Option 3 then 3)

***VALID DRIVER'S LICENSE REQUIRED**
***AVAILABILITY TO WORK MULTIPLE SHIFTS**

product action
DRIVING QUALITY

Drug Free/EOE

HUDDLE HOUSE
Satisfy Your Craving for Success!
Huddle House, Inc. continues to grow its neighborhood diner-style restaurants at a phenomenal rate! Becoming a Huddle House franchisee gives you complete access to our team of dedicated business professionals, the security of our expertise and national brand recognition in the restaurant industry.
Huddle House brand is one of the hottest franchise concepts in the industry today...
• 40 Years Experience • Comprehensive Training For Success
• 430+ Restaurant Locations • On-going Operations Excellence
• Full Item 19 Disclosure • Local Store Marketing & Nat'l Advertising
• Full Service Quick Casual • Dedicated Food & Equipment Sourcing
Huddle House business elements include your franchisee fee of \$26,000; royalties of 4.75% and national ad fund participation of 1%. Minimum of \$150,000 initial investment. Contact Nancy Gilmer, Franchise Development Director for more information.
800-418-9555 Ext. 1333 www.huddlehouse.com

Brian Jenks

From: Curtis Perez [cperez@clintontn.net]

Sent: Wednesday, October 08, 2008 4:12 PM

To: Rex Lynch

Cc: Brian Jenks; barncusa@aol.com

Mayor Lynch,

The purpose of this e-mail is to inform you that the City of Clinton will have the second public hearing concerning changes to the proposed Growth Boundary map. City Council will hold the final public hearing, in order to comply with the regulations prior to the Growth Committee reconvening, on October 20, 2008. The City of Clinton ask if you could have Mr. Jenks set a time and place shortly after this date to reconvene the Growth Committee for consideration of the proposed changes to the City of Clinton's Growth Boundary Map.

Please respond to myself and or Steve Jones, Clinton City Manager once the date has been scheduled.

Thanks in advance for your assistance,

Curtis Perez
City of Clinton Building Official

11/17/2008

CITY OF CLINTON

RESOLUTION NO. 560

**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE
ANNEXATION OF TERRITORY NORTHEAST OF THE HIGHWAY
61/INTERSTATE 75 INTERCHANGE INTO THE CORPORATE LIMITS OF
THE CITY OF CLINTON, TENNESSEE**

WHEREAS, Section 6-51-102 of the *Tennessee Code Annotated*, as amended, requires that a plan of services be adopted by the governing body of a city prior to passage of an ordinance annexing any territory; and

WHEREAS, the City of Clinton is contemplating annexation of certain territory, said territory being located northeast of the Highway 61/Interstate 75 interchange. Said territory being more clearly defined by the attached map that is made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clinton, Tennessee:

Section 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the territory bounded as shown on the attached map, the following plan of services:

A. POLICE

1. Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.
2. Depending on growth in the area, police personnel and equipment may, at the City's discretion, be added on an as needed basis in order to continue the present level of service throughout the City and annexed area.

B. FIRE

1. Regular fire protection services, utilizing present Clinton Fire Department personnel and equipment, will be provided on the effective date of annexation.
2. Depending on growth in the area, fire protection personnel and equipment may, at the City's discretion, be added on an as needed basis in order to continue the present level of service throughout the City and annexed area.

C. WATER

Regular public water service is directly available to the annexation area, and is provided by Anderson County Utility Board (ACUB).

D. SEWER

Public sanitary sewer service is available and is provided by Anderson County Utilities Board (ACUB). Extension and/or connection to this sewer line will be the responsibility of the developer and shall be constructed in accordance with the standards of ACUB.

E. ELECTRIC

Electric for the annexation area will be provided by Clinton Utilities Board (CUB). As the proposed annexation territory has existing road frontage, CUB will extend electric service to this area as necessary to serve the subsequent development(s) in accordance with CUB's Rules and Regulations.

F. REFUSE COLLECTION

1. The City of Clinton Public Works Department will provide household garbage collection and disposal services, brush collection, and seasonal leaf collection on the effective date of the annexation in the annexation area, in accordance to all applicable City policies.
2. The City of Clinton does not provide garbage collection and disposal services, brush collection, or seasonal leaf collection to commercial and industrial customers. They are responsible for their own refuse disposal services.

G. STREETS & RELATED PUBLIC FACILITIES

The annexation area is directly accessed by State Highway 61, which is a state highway and is maintained by the Tennessee Department of Transportation.

H. SCHOOLS

Residents of the annexation area will be eligible to attend Clinton City Schools without paying tuition. This service applies to elementary school (grades K through 6) students only, as all other grade levels will attend Anderson County schools.

I. INSPECTION SERVICES

Any inspection services now provided by the City (building, electrical, plumbing, housing, code enforcement, etc.) will begin in the annexation area on the effective date of annexation.

J. PLANNING AND ZONING

The planning and zoning jurisdiction of the City will extend to the annexation area on the effective date of annexation. A zoning plan will be adopted and City planning and zoning will thereafter encompass the annexation area.

K. STREET LIGHTING

No streets are being annexed into the City at this time.

L. RECREATION

Residents of the annexation area may use all existing recreation facilities, parks, etc., upon the effective date of annexation. The same standards and policies now used in the City will be followed in expanding recreational programs and facilities within the annexation area.

M. PUBLIC WORKS

1. Drainage issues existing prior to the annexation effective date in the annexation area shall be addressed by the property owner and/or developer, and any future issues resulting from development of the property shall be the responsibility of the property owner.
2. Depending on growth in the area, personnel and equipment may, at the City's discretion, be added on an as needed basis in order to

continue the present level of service throughout the City and annexed area.

Section 2. This resolution shall be effective from and after its adoption.

Adopted this 16th day of October, 2006



Vickie Fagan, City Recorder



Mayor Winfred Shoopman

SETTLEMENT AGREEMENT AND RELEASE

5

This Settlement Agreement is entered into this 4th day of January, 200~~4~~, by and between the City of Clinton, a municipal corporation and political subdivision of the State of Tennessee ("Clinton"), the City of Norris, a municipal corporation and political subdivision of the State of Tennessee ("Norris"), Rogers Group, Inc., a Tennessee corporation ("Rogers"), and Margaret Fox Best, Stanley Fox, Ronald Fox, Karen Fox, Stanley Grubb, Rebecca Grubb, Jacob Hogue, Patricia Hogue, Wayne McKinney, Debora McKinney and FHG Enterprises, L.P. (collectively "Fox Family").

WHEREAS, in 2001, Clinton, Norris and Anderson County entered into an agreement as part of the Twenty Year Growth Plan for Anderson County through a mediation in Nashville, Tennessee, whereunder Norris says Clinton agreed that it would not annex property east of Interstate 75 for a period of five (5) years, and Clinton says it agreed not to annex such property on its own initiative, in exchange for which Norris contributed \$20,000 for payment of street lighting on the State Highway 61 bridge crossing Interstate 75 and other consideration (the "2001 Agreement"); and

WHEREAS, in 2004, Rogers and Fox Family petitioned Clinton to annex into the corporate limits of Clinton the real property of Rogers and Fox Family east of Interstate 75 and covered by the 2001 Agreement; and

WHEREAS, in response to the petition by the Fox Family and Rogers, Clinton took steps in furtherance of annexation of said properties; and

WHEREAS, on or about June 21, 2004, Norris, together with Anderson County, Tennessee, brought an action against Clinton, Rogers and Fox Family to enjoin the annexation, for breach of contract and various other causes of action and complaints in an action styled State

of Tennessee, ex rel., Anderson County, Tennessee, and Anderson County, Tennessee, individually, and the City of Norris, individually v. City of Clinton, et al., Anderson County Chancery Court, Action No. 04CH4226 (hereinafter "Action"); and

WHEREAS, pursuant to court order, the parties have engaged in mediation in an attempt to resolve the disputes herein; and

WHEREAS, the parties to this Settlement Agreement want to provide for the development of Rogers and Fox Family property, to allow Clinton to Annex across I-75, to waive the rights of Norris to contest the Rogers and Fox Family annexations by Clinton across I-75, and to waive the rights of Norris under Tenn. Code Ann. § 6-51-110(g) to countermand the Rogers and Fox Family annexation by Clinton, to waive the rights of Norris to have its Urban Growth Boundary established up to the eastern right of way of I-75 as a natural boundary by commissioners in Nashville, and to resolve their differences in the Action and otherwise.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed by and among the parties to resolve their various disputes, lawsuits and concerns as follows:

1. Norris agrees to dismiss with prejudice the Action and to consent to the Clinton annexations of the Rogers and Fox Family properties to the east of Interstate 75 and to release Clinton from provisions of the 2001 Agreement regardless of the enforceability of same.
2. Norris agrees to support amendments to the Urban Growth Boundary of Clinton, amending the Twenty Year Growth Plan established in 2001 so as to permit Clinton to annex the Fox Family and Rogers properties. Norris further agrees to support Clinton in the Anderson County Coordinating Committee, to ratify the Clinton amendments to its Urban Growth

Boundary as recited in this Settlement Agreement and to support Clinton in any mediation session in Nashville should the amendments to Clinton's Urban Growth Boundary provided under this Settlement Agreement be contested by any party to the Anderson County Twenty Year Growth Plan. The amendments to Clinton's Urban Growth Boundary are delineated in pink on Exhibit A, attached hereto and incorporated herein by reference.

3. Clinton agrees to support amendments to the Urban Growth Boundary of Norris, including supporting the amendments to Norris' Urban Growth Boundary before the Anderson County Coordinating Committee, ratifying the amendments to the Urban Growth Boundary of Norris as a part of the Twenty Year Growth Plan and to support the amendments to Norris' Urban Growth Boundary in any mediation session in Nashville should any party to the Anderson County Twenty Year Growth Plan object to the amendments to the Urban Growth Boundary of Norris. The Amendments to the Urban Growth Boundary of Norris are delineated in red on Exhibit B, attached hereto and incorporated herein by reference.

4. Upon ratification by the respective municipal bodies of the terms and conditions of this Settlement Agreement, followed by Norris dismissing itself from the Action with prejudice, Clinton agrees to pay Norris in consideration for this Settlement Agreement the following:

- (a) Reimburse Norris the \$20,000 payment for the high mast lighting on the State Highway 61 bridge crossing Interstate 75 and paid by Norris under the 2001 Agreement;
- (b) Reimburse the legal expenses of Norris incurred in and related to the Action up to a maximum of Thirty Thousand Dollars (\$30,000.00) upon submittal of a bill summary (without line item entry detail constituting attorney/client and/or work product privilege) as verification of its legal expenses;

(c) Provide \$10,000 per year for five (5) years, the first installment payable upon execution of this Settlement Agreement, the second payment made on July 1, 2005, and each successive annual payment payable on July 1 on each successive year, with the final payment of \$10,000 being made on July 1, 2008; and,

(d) Pay one-half of the court costs in the Action on behalf of Norris.

5. In consideration for Norris surrendering its rights under Tenn. Code Ann. § 6-51-110(g), foregoing pursuit of an Urban Growth Boundary up to the eastern right of way of I-75 to be established by commissioners in Nashville, and allowing Clinton to annex across to the eastern side of I-75, in the event either Clinton or Norris attempts to annex by any method within the proposed Urban Growth Boundary of the other as established under this Settlement Agreement as proposed in Exhibits A and B hereto, and should State law permit such annexation, Clinton and Norris agree that neither municipality shall annex into the proposed Urban Growth Boundaries of the other reflected in Exhibits A and B without the prior written consent (by resolution) of the governing body of the municipality in whose proposed Urban Growth Boundary the property to be annexed lies. This condition of this Settlement Agreement shall be binding upon Clinton and Norris: (i) whether or not the Anderson County Coordinating Committee and/or commissioners in Nashville approve the respective amendments to the Urban Growth Boundaries of Clinton and Norris proposed in Exhibits A and B, or (ii) where other amendments to the Anderson County Twenty Year Growth Plan are adopted at any time through and including 2021. In the event of any conflict between the proposed Urban Growth Boundary amendments in Exhibits A and B and other amendments to the Twenty Year Growth Plan which are adopted, Exhibits A and B shall control this Settlement Agreement.

6. Norris, for itself, its council members, agents, officers, employees, affiliates and assigns hereby release, waive and discharge Clinton, Rogers and the Fox Family, their officers, council members, affiliates, partners, agents, employees, heirs, successors and assigns from any and all manner of actions, controversies, suits, liens, losses, debts, dues, damages, claims, judgments, bonds, executions, causes of action and demands of every nature, kind and description whatsoever, including but not limited to those arising out of or related to the claims in the Action, which Norris had, now has or may have in the future for any reason whatsoever.

7. Clinton, Rogers and the Fox Family, for themselves and their council members, agents, officers, employees, affiliates, partners, attorneys, heirs, predecessors, successors and assigns hereby release, waive and discharge Norris, its officers, agents, council members, employees, predecessors, successors and assigns from any and all manner of actions, controversies, suits, liens, losses, debts, dues, damages, claims, judgments, bonds, execution, causes of action and demands of every nature, kind and description whatsoever, including but not limited to those arising out of or related to the claims in the Action, which Clinton, Rogers and/or the Fox Family had, now have or may have in the future for any reason whatsoever.

8. In the event Clinton or Norris should breach this Settlement Agreement, or any of the terms and conditions herein, and legal action for enforcement of the terms and conditions is instituted, the parties agree that the prevailing party shall be entitled to be reimbursed its reasonable attorney's fees and its discretionary costs of litigation.

(a) Because Norris is relinquishing its valuable rights to contest and/or reverse Clinton's annexation of certain properties commonly referred to as the Rogers and Fox Family properties lying east of I-75 and the parties acknowledge the difficulty of establishing the value of such rights, they have attempted to estimate the potential financial impact to Norris resulting

from relinquishing these rights as well as the potential financial impact from relinquishing its additional rights under Tenn. Code Ann. § 6-51-110(g). Having estimated potential damages in the event of any annexation by any means by Clinton in contravention of the terms and conditions of this Settlement Agreement, and not intending to create any penalty whatsoever, the parties have determined that a portion of the anticipated sales tax revenues of Clinton in the annexed area east of I-75 shall constitute liquidated damages, not penalty, payable to Norris hereunder during the remaining term of the Twenty Year Growth Plan, dated July 31, 2001, as follows:

	<u>Year</u>	<u>Liquidated Damages</u>
(i)	present - 2007	\$25,000.00 per year
(ii)	2008-2012	\$50,000.00 per year
(iii)	2012-2021	\$100,000 per year; and

(b) Those properties that Clinton may annex by any method east of I-75 without triggering the liquidated damages provision of subsection (a) herein are as follows: Tax Map 43, Parcels 58.08; 58, 58.02, 58.04, 58.05, 58.06, 58.07, 58.09, 58.11, 58.12, 94, 94.01, 94.03, 94.04, 105, 105.01, 105.02, 105.03 and the I-75 Interchange with Highway 61; Tax Map 43, Parcels 58.1, 66.02, 67.01, 80, 80.01, 80.03, 95, 96, 96.01, 96.02, 96.03, 96.04, 96.05, 96.06, 97, 98, 98.01, 99, 100.01, 100.02, 100.03, 101, 102, 103 and 104. Otherwise, any other properties east of I-75 not enumerated herein shall be annexed by Clinton by any method only upon the written consent of Norris (by resolution) in order to avoid liquidated damages hereunder.

(c) Norris shall be entitled to injunctive relief against Clinton, enjoining any annexation proceeding of the properties east of I-75 other than those described in subparagraph

(b) above pending a trial on the merits. Nothing herein shall impair the right of Norris to seek specific performance of the terms and conditions of this agreement.

9. In the event any one or more of the provisions of this Settlement Agreement is found to be invalid or otherwise unenforceable, the remaining terms and conditions of this Settlement Agreement shall be unaffected thereby and shall remain in full force and effect as originally written. Any portion of the Settlement Agreement found to be invalid or otherwise unenforceable shall be severed from this Settlement Agreement and stricken and the remaining portions of this Settlement Agreement shall remain unaffected thereby.

10. This Settlement Agreement sets forth the entire understanding of the parties as to the subject matter and may not be modified except in writing executed by all parties. No modification, amendment, supplement to or waiver of this Settlement Agreement or any of its provisions shall be binding upon the parties unless made in writing and duly signed by all the parties.

11. This Settlement Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee.

12. This Settlement Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, heirs or assigns.

13. This Settlement Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed collectively one Settlement Agreement. This Settlement Agreement shall become effective when executed and delivered by all parties and approved by the respective city councils of Norris and Clinton.

14. The parties agree for themselves and their successors and assigns to execute any and all instruments in writing which are or may become necessary or proper to carry out the purposes or intent of this Settlement Agreement.

EXECUTED as of the date first above written.

CITY OF CLINTON:

By: Winfred E. Shoopman
Winfred Wimp Shoopman, Mayor

By: [Signature]
Michael Farley, Councilman

By: [Signature]
Jerry Shattuck, Councilman

By: [Signature]
Scott Vowell, Councilman

By: [Signature]
Gary Whittle, Councilman

By: N/A
Albert Turner, Councilman

By: [Signature]
Steve Jones, City Manager

ATTEST:

Vicky L. Fagan
Vicky Fagan, Clinton City Recorder

CITY OF NORRIS:

By: Richard Dyer
Richard Dyer, Mayor

By: Benny Carden
Benny Carden, City Manager

ATTEST:

Darlene Buckner
Darlene Buckner, Norris City Recorder

ROGERS GROUP:

By: Bruce S Fox
Its: Attorney

FOX FAMILY:

Margaret Fox Best
Margaret Fox Best

Karen Fox

Karen Fox

Rebecca Grubb

Rebecca Grubb

Patricia Hogue

Patricia Hogue

Ronald Fox

Ronald Fox

Stanley Fox

Stanley Fox

Stanley Grubb

Stanley Grubb

Jacob Hogue

Jacob Hogue

Wayne McKinney

Wayne McKinney

Deborah McKinney

Deborah McKinney

FHG ENTERPRISES:

By: Margant Jay Best

Its: Personal Signature



ANDERSON COUNTY

REX LYNCH
COUNTY MAYOR

October 21, 2008

Dear Coordinating Committee Members:

The City of Clinton has requested that Anderson County reconvene the Anderson County Coordinating Committee in order to modify their current Urban Growth Boundary (UGB) in accordance with Public Chapter 1101 of 1998. The purpose of the request is to incorporate eleven acres purchased by the Fox Family into their UGB for the purpose of annexation. This request has been approved by the Clinton City Council and the Norris City Council and the required public hearings have been conducted by the City of Clinton paving the way for the Growth Committee to act on this request.

The Coordinating Committee will meet on Tuesday November 18th at 5:00 pm in the Clinton Community Center located on South Hicks Street in downtown Clinton. The City of Clinton will provide a map of the proposed area for inclusion in their UGB at the meeting and will be available to address any questions that you may have at that time. Thank you for your time and I look forward to seeing you on November 18th.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rex Lynch", is written over a printed name.

Rex Lynch
Anderson County Mayor
Chairman, Anderson County Coordinating Committee

C.c. Jay Yeager – Anderson County Law Director
Sarah Booher – Anderson County Staff Planner

**ANDERSON
COUNTY
COORDINATING
COMMITTEE
NOV. 18, 2008
5:00 P.M.
CLINTON
COMMUNITY
CENTER**

The Anderson County Coordinating Committee will meet on November 18, 2008 at 5:00 pm in the Clinton Community Center located on South Hicks street in downtown Clinton. The City of Clinton has requested that Anderson County reconvene the Anderson County Coordinating Committee in order to modify their current Urban Growth Boundary (UGB) in accordance with Public Chapter 1101 of 1998. The purpose of the request is to propose that eleven (11) acres purchased by the Fox Family (located east of Interstate 75, Exit 122 interchange) be included in the Clinton UGB for the purpose of annexation. This request has been approved by the Clinton City Council and the Norris City Council and the required public hearings have been conducted by the City of Clinton paving the way for Coordinating Committee to act upon this request.

1109-15-2

1109-15-2

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 2 consecutive weeks in The Courier-News on the following dates:

11/9/08 - 11/16/08

Signed *John P. Sullivan*
Publisher

Subscribed and sworn to before me this, the 24th day of November, 2008

John P. Sullivan
Notary Public

My Commission Expires 2/25/09

**Anderson County Coordinating Committee
Attendance Register**

MEETING DATE: 11-18-2008

Name	Address
Cortez Perez	100 W Bowling St
Sarah Barber	100 N Main St.
Helen Taylor	3133 Dutch Valley Rd
John Price	606 Crestwood Dr, Clinton
John Alley	123 ALLEY RD, ANDERSONVILLE
JAY YEAGER	SUITE 310 101 S. MAIN STREET CLINTON
TOMMY MARINER	11 HAWTHORN PLACE, NORRIS, TN
Suzanne Kochler	204 Connors Circle OAK Ridge
Wrip Shoop	100 N. Bowling St. Clinton
Paul Balling	701 Main St., Oliver Springs
BRIAN JENKS	100 N. Main St Ste 127 Clinton, TN 37705
PAVE-HY	Oak Ridge Church - 1400 Oak Ridge Turnpike
Stem Jones	100 N BOWLING ST CLINTON

PLEASE SIGN IN!

**ANDERSON COUNTY COORDINATING COMMITTEE MEETING
CLINTON COMMUNITY CENTER
NOVEMBER 18, 2008, 5:00 p.m.
MEETING MINUTES**

MEMBERS PRESENT:

Brian Jenks – Anderson County Public Works
Wimp Shoopman – Clinton City Mayor
Tommy Mariner – Norris City Council
David Bolling – Oliver Springs City Manager
Suzanne Koehler – Covenant Health
John Price – Anderson County Board of Education
Howard Farmer – Soil Conservation District
Greg Fay – Clinton Utilities Board/E.T.D.D.
Parker Hardy – Oak Ridge Chamber of Commerce

MEMBERS ABSENT:

Rex Lynch – Anderson County Mayor
Greg Darnell – Anderson County Building Commissioner
Tom Beehan – Oak Ridge Mayor
Jim O’Conner – Oak Ridge City Manager
Buck Wilson – Lake City Mayor
Dennis Wagner – AT&T

OTHERS PRESENTS:

Sarah Booher – Anderson County Staff Planner
Steve Jones – Clinton City Manager
Curtis Perez – Clinton Building Official
Jay Yeager – Anderson County Law Director
John Alley – Anderson County Commissioner – District III
Barbara Dew – Anderson County Public Works

Meeting was called to order at 5:05 pm by Brian Jenks. Sarah Booher called roll with nine (9) committee members present and six (6) members absent. Mr. Jenks informed the Coordinating Committee that the purpose of the meeting was for the City of Clinton to formally propose their requested changes to the current Urban Growth Boundary (UGB). The City of Clinton had requested that Anderson County reconvene the Coordinating Committee in a letter dated June 18, 2008 from Steve Jones (Clinton City Manager) to Rex Lynch (Anderson County Mayor). The City of Clinton had conducted the two required Public Hearings in accordance with Public Chapter 1101 guidelines. The two required public hearings were conducted on September 15th and October 20th at the Clinton City Hall.

Curtis Perez made a brief presentation to the committee and distributed a map to committee members showing the properties being requested for incorporation into Clinton’s UGB. Mr. Perez indicated that the properties requested for incorporation include eleven (11) acres

purchased by the Fox family that is adjacent to the property currently owned by the family. Mr. Perez indicated that this property was not included in Clinton's UBG and was not one of the parcels identified in the Master Settlement Agreement that could be annexed without approval from the City of Norris. Mr. Perez stated that this property had been approved by the Norris City Council. Tommy Mariner stated that the Norris City Council had not approved the property but had agreed to not contest or interfere with the inclusion of the property in Clinton's UGB. Mr. Perez also stated that the City of Clinton was requested to include two additional parcels located at 119 Joe Owen Road (Map 43, Parcel 67.01) and 216 Joe Owen Road (Map 43, Parcel 66.02). These two properties were not included in the letter received from Mr. Jones requesting that the Coordinating Committee be reconvened; however, both of the parcels are listed in the Master Settlement Agreement as parcels that could be annexed by the City of Clinton without triggering the liquidated damages provision in the MSA. Therefore, approval by the Norris City Council is not required. Steve Jones stated that these properties were included at the request of the current owners and they have provided the letters from the owners reflecting that they did indeed request to be annexed by the City of Clinton.

Brian Jenks stated that the Committee could not approve or disapprove this request at this meeting because Public Chapter 1101 requires that the Committee hold two public hearings prior to any decision on the request. The only action that could be taken at this meeting would be a motion and subsequent vote to proceed forward with the public hearings if there were no objectives or changes to UBG as presented by the City of Clinton. Greg Fay made a motion to proceed forward with the public hearings. The motion was seconded by Howard Farmer. A roll call vote was taken and the motion passed by a vote of 8 for and 1 against. The roll-call vote and attendance register are included as an attachment to these minutes.

There was a brief discussion about dates for the public hearings. At the conclusion of the discussion it was determined that the public hearings would be held on the following dates:

Wednesday, December 17, 2008 from 10:00-11:00 am in the Clinton Community Center

Thursday, December 18, 2008 from 5:00-5:30 pm in the Clinton Community Center

It was agreed that the public hearing would be extended if needed to accommodate public input on December 18th. Anderson County will be responsible for the advertising of the public hearing and meeting in the Clinton Courier. The add will be run in the weekend addition on the two weekends preceeding the week of the public hearings. The Coordinating Committee will meet immediately following the conclusion of the public hearing to discuss and vote on the proposed additions to the City of Clinton's UGB.

Meeting was adjourned at approximately 5:25 pm.

ANDERSON COUNTY COORDINATING COMMITTEE
ATTENDANCE/ROLL CALL VOTE
Meeting Date: November 18,2008

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator	x		x	
GREG DARNELL Anderson County Building Commissioner				x
PARKER HARDY Oak Ridge Chamber Of Commerce	x		x	
JIM O'CONNOR Oak Ridge City Manager				x
WIMP SHOOPMAN Clinton City Mayor	x		x	
REX LYNCH Anderson County Mayor				x
TOM BEEHAN Oak Ridge Mayor				x
JOHN PRICE Anderson County Board of Education	x		x	
TOMMY MARINER Norris City Council Member		x	x	
GREG FAY Clinton Utility Board / E.T.D.D.	x		x	
DAVID BOLLING Oliver Springs City Manger	x		x	
BUCK WILSON Lake City Mayor				x
HOWARD FARMER Soil Conservation District	x		x	
DENNIS WAGNER AT&T				x
SUZANNE KOEHLER Covenant Health	x		x	

Motion:

Greg Fay made a motion to move forward with the request and hold public hearings regarding the incorporation the 11 acres of the Fox property and two parcels (Map 43 Parcels 66.02 & 67.01) from individual property owners into the City of Clinton UGB. Howard Farmer seconded the motion.

Motion passed 8-1.

PUBLIC HEARING AND MEETING ANNOUNCEMENT

ANDERSON COUNTY COORDINATING COMMITTEE

**PUBLIC HEARING - WEDNESDAY, DECEMBER 17, 2008 (10:00 TO 11:00 AM)
CLINTON COMMUNITY CENTER**

**PUBLIC HEARING/MEETING - THURSDAY, DECEMBER 18, 2008 (5:00 TO 5:30 PM)
CLINTON COMMUNITY CENTER**

The Anderson County Coordinating Committee will hold two public hearings (Wednesday December 17th and Thursday December 18th) at the Clinton Community Center located at 101 South Hicks Street in Clinton. The purpose of the public hearings will be to receive public comment regarding the proposed modification of the City of Clinton's current Urban Growth Boundary (UGB). The City of Clinton has requested that their current UGB be modified to include the following parcels:

1. 11 acre tract purchased by the Fox Family located north of the current Fox Toyota dealership near the I-75 interchange (Exit 122).
2. 2.94 acre tract located at 216 Joe Owens Road (Map 043, Parcel 66.02)
3. 2.24 acre tract located at 119 Joe Owens Road (Map 043, Parcel 67.01)

The Coordinating Committee will meet immediately following the conclusion of the public hearing on Thursday December 18th. Please note that the time allotted for the public hearing may be extended if needed to allow adequate opportunity for public comment.

PUBLIC HEARING AND MEETING ANNOUNCEMENT

ANDERSON COUNTY COORDINATING COMMITTEE
PUBLIC HEARING - WEDNESDAY, DECEMBER 17, 2008 (10:00 TO 11:00 AM)
CLINTON COMMUNITY CENTER

PUBLIC HEARING/ MEETING - THURSDAY, DECEMBER 18, 2008 (5:00 TO 5:30 PM)
CLINTON COMMUNITY CENTER

The Anderson County Coordinating Committee will hold two public hearings (Wednesday December 17th and Thursday December 18th) at the Clinton Community Center located at 101 South Hicks Street in Clinton. The purpose of the public hearings will be to receive public comment regarding the proposed modification of the City

of Clinton's current Urban Growth Boundary (UGB). The City of Clinton has requested that their current UGB be modified to include the following parcels:

11 acre tract purchased by the Fox Family located north of the current Fox Toyota dealership near the I-75 interchange (Exit 122).

2.94 acre tract located at 216 Joe Owens Road (Map 043, Parcel 66.02)

2.24 acre tract located at 119 Joe Owens Road (Map 043, Parcel 67.01)

The Coordinating Committee will meet immediately following the conclusion of the public hearing on Thursday December 18th.

Please note that the time allotted for the public hearing may be extended if needed to allow adequate opportunity for public comment.

1123-36-7

1123-36-7

Publisher's Affidavit

I do solemnly swear that the attached Notice was published for 7 consecutive ^{times} ~~weeks~~ in The Courier-News on the following dates:

11/23/08 - 11/26/08 - 11/30/08 -
12/3/08 - 12/7/08 - 12/10/08 - 12/14/08

Signed *Penny Sullivan*
Publisher

Subscribed and sworn to before me this, the 23rd
day of December, 2008

Penny Sullivan
Notary Public

My Commission Expires 2/25/09

**ANDERSON COUNTY COORDINATING COMMITTEE MEETING
CLINTON COMMUNITY CENTER
DECEMBER 17, 2008, 10:00-11:00 a.m.
PUBLIC HEARING RECORD**

MEMBERS PRESENT:

Brian Jenks – Anderson County Public Works
Greg Darnell – Anderson County Building Commissioner
Howard Farmer – Soil Conservation District

MEMBERS ABSENT:

Rex Lynch – Anderson County Mayor
Parker Hardy – Oak Ridge Chamber of Commerce
Tom Beehan – Oak Ridge Mayor
Jim O’Conner – Oak Ridge City Manager
David Bolling – Oliver Springs City Manager
Tommy Mariner – City of Norris
Suzanne Koehler - Covenant Health
Greg Fay – Clinton Utilities Board/ETDD
John Price - Anderson County Board of Education
Buck Wilson – Lake City Mayor
Dennis Wagner – AT&T

OTHERS PRESENTS:

Sarah Booher – Anderson County Staff Planner
Steve Jones – Clinton City Manager
Curtis Perez – Clinton Building Official
Barbara Dew – Anderson County Public Works
Chris Mitchell - Norris

There was no public comment at this meeting.

Public hearing was closed at 11:05 a.m.

**ANDERSON COUNTY COORDINATING COMMITTEE MEETING
CLINTON COMMUNITY CENTER
DECEMBER 18, 2008, 5:00-5:30 p.m.
PUBLIC HEARING RECORD**

MEMBERS PRESENT:

Brian Jenks – Anderson County Public Works
Wimp Shoopman – Clinton Mayor
David Bolling – Oliver Springs City Manager

MEMBERS ABSENT:

Rex Lynch – Anderson County Mayor
Parker Hardy – Oak Ridge Chamber of Commerce
Tom Beehan – Oak Ridge Mayor
Jim O’Conner – Oak Ridge City Manager
Tommy Mariner – City of Norris
Suzanne Koehler - Covenant Health
Greg Fay – Clinton Utilities Board/ETDD
Howard Farmer – Soil Conservation District
John Price - Anderson County Board of Education
Buck Wilson – Lake City Mayor
Dennis Wagner – AT&T

OTHERS PRESENTS:

Sarah Booher – Anderson County Staff Planner
Steve Jones – Clinton City Manager
Curtis Perez – Clinton Building Official
Chris Mitchell – Norris
John Alley – County Commissioner, District III

There was no public comment at this meeting.

Public hearing was closed at 5:40 p.m. There were not enough members present to constitute a quorum at the conclusion of the public hearing. The meeting was re-scheduled for January 5, 2009 at 5:30 p.m. in the Clinton Community Center. Anderson County Public Works will advertise meeting date and time in the Clinton Courier.

ANDERSON COUNTY COORDINATING COMMITTEE

ATTENDANCE/ROLL CALL VOTE

Meeting Date: ~~November 19, 2008~~ December 18, 2008

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator			✓	
GREG DARNELL Anderson County Building Commissioner				✓
PARKER HARDY Oak Ridge Chamber Of Commerce				✓
JIM O'CONNOR Oak Ridge City Manager				✓
WIMP SHOOPMAN Clinton City Mayor			✓	
REX LYNCH Anderson County Mayor				✓
TOM BEEHAN Oak Ridge Mayor				✓
JOHN PRICE Anderson County Board of Education				✓
TOMMY MARINER Norris Mayor				✓
GREG FAY Clinton Utility Board / E.T.D.D.				✓
DAVID BOLLING Oliver Springs City Manger			✓	
BUCK WILSON Lake City Mayor				✓
HOWARD FARMER Soil Conservation District				✓
DENNIS WAGNER AT&T				✓
SUZANNE KOEHLER Covenant Health				✓

Motion:

Rescheduled for Monday Jan 5, 2009 @ Clinton Community Ctr due to lack of a quorum.

MEETING ANNOUNCEMENT

ANDERSON COUNTY COORDINATING COMMITTEE

MONDAY, JANUARY 5, 2009

5:30 P.M.

CLINTON COMMUNITY CENTER

The Anderson County Coordinating Committee will hold a meeting on January 5, 2009 at 5:30 pm at the Clinton Community Center located at 101 South Hicks Street in Clinton. The purpose of the meeting will be take action on the City of Clinton's proposed Urban Growth Boundary (UGB) changes. The City of Clinton has requested that their current UGB be modified to include the following parcels:

1. 11 acre tract purchased by the Fox Family located north of the current Fox Toyota dealership near the I-75 interchange (Exit 122).
2. 2.94 acre tract located at 216 Joe Owens Road (Map 043, Parcel 66.02)
3. 2.24 acre tract located at 119 Joe Owens Road (Map 043, Parcel 67.01)

**MEETING
ANNOUNCEMENT
ANDERSON
COUNTY COOR-
DINATING COM-
MITTEE**

Monday, January 5, 2009
- 5:30 P.M. - Clinton
Community Center
The Anderson County
Coordinating Committee
will hold a meeting on
January 5, 2009 at 5:30
pm at the Clinton Com-
munity Center located at
101 South Hicks Street
in Clinton. The purpose
of the meeting will be
to take action on the City
of Clinton's proposed
Urban Growth Boundary
(UGB) changes. The City
of Clinton has requested
that their current UGB be
modified to include the
following parcels: 1). 11
acre tract purchased by
the Fox Family located
north of the current Fox
Toyota dealership near
the I-75 interchange (Exit
122). 2). 2.94 acre tract
located at 216 Joe Owens
Road (Map 043, Parcel
66.02). 3). 2.24 acre tract
located at 119 Joe Owens
Road (Map 043, Parcel
67.01).

1224-34-4

1224-34-4

Publisher's Affidavit

I do solemnly swear that the attached
Notice was published for 4 consecutive
^{times}
weeks in The Courier-News on the following dates:

12/24/08 - 12/28/08 - 12/31/08 - 1/4/09

Signed Don Bridgeman
Publisher

Subscribed and sworn to before me this, the 29th
day of NOTAR, 2009

Kenneth Sullivan
Notary Public

My Commission Expires 2/25/09



MEETING ANNOUNCEMENT

ANDERSON COUNTY COORDINATING COMMITTEE

MONDAY, JANUARY 5, 2009

5:30 P.M.

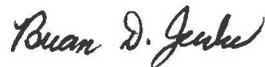
CLINTON COMMUNITY CENTER

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3. 2.24 acre tract located at 119 Joe Owens Road (Map 043, Parcel 67.01)

Please reference enclosed copy of the meeting minutes from the November 18th meeting. Please review and provide comments, as approval of these minutes will be the first order of business on the January 5th meeting. Please provide any comments and notify us if you will be attending the meeting on January 5th. Comments and RSVPs should be received by the morning of January 5th. Please respond to Brian Jenks (bjenks@andersontn.org) or Sarah Booher (sbooher@andersontn.org).

Sincerely,



Brian Jenks

Anderson County Coordinating Committee Attendance Register

Meeting Date: 1/5/09

Name	Address
Sarah M Booher	100 N. Main st.
GREG DALVEN	100 N MAIN ST SUITE 127
BRIAN JENKS	100 N. MAIN ST Clinton, TN 37716
Suzanne Kochler	990 Oak Ridge Turnpike Oak Ridge 37830
John H. Price	606 Crestwood Dr. Clinton 37716
John H. Price	701 Main St, Oliver Springs, TN
CHRIS MITCHELL	602 HICKORY TRAIL, NORRIS TN
Tom O'Connor	200 S. Tulane Ave Oak Ridge TN
W. P. Shoop	100 N. Bowling St Clinton, TN 37716
Carlos Perez	100 W Bowling St Clinton, TN 37716
Greg Fay	C.U.B.
Phyllis P. Herton	59 Dogwood Rd, Norris
Tommy Mariner	11 Hawthorn Place, Norris, TN
Rex Lynch	333 HEARTSIDE Rd Clinton TN
John Alley	123 Alley Road, Andersonville, Tenn.

**ANDERSON COUNTY COORDINATING COMMITTEE MEETING
CLINTON COMMUNITY CENTER
JANUARY 5, 2009, 5:30 p.m.
MEETING MINUTES**

MEMBERS PRESENT:

Brian Jenks – Anderson County Public Works
Greg Darnell – Anderson County Building Commissioner
Rex Lynch – Anderson County Mayor
Wimp Shoopman – Clinton City Mayor
Tommy Mariner – Norris City Council
David Bolling – Oliver Springs City Manager
Suzanne Koehler – Covenant Health
John Price – Anderson County Board of Education
Jim O’Conner – Oak Ridge City Manager
Greg Fay – Clinton Utilities Board/E.T.D.D.

MEMBERS ABSENT:

Howard Farmer - Soil Conservation District
Parker Hardy – Oak Ridge Chamber of Commerce
Tom Beehan – Oak Ridge Mayor
Buck Wilson – Lake City Mayor
Dennis Wagner – AT&T

OTHERS PRESENTS:

Sarah Booher – Anderson County Staff Planner
Steve Jones – Clinton City Manager
Curtis Perez – Clinton Building Official
John Alley – Anderson County Commissioner – District III
Chris Mitchell – Norris City Council
Phyllis Helton – Citizen of Norris

Meeting was called to order at 5:35 pm by Brian Jenks. Sarah Booher called roll with ten (10) committee members present and five (5) members absent. Mr. Jenks informed the Coordinating Committee that the purpose of the meeting was for the Coordinating Committee to approve or disapprove Clinton’s proposed request to modify their Urban Growth Boundary (UGB). Mr. Jenks informed the Committee that two public hearings had been conducted on December 17th and December 18, 2008. No action was taken at the December 18th meeting on the proposed amendments due to a lack of a quorum. There was no public input at either of the public hearings. Mr. Jenks requested that a motion be brought forth to accept the meeting minutes from the November 18, 2008 meeting.

MOTION: Tommy Mariner made a motion to accept the meeting minutes from the December 18, 2008 meeting without any changes. The motion was seconded by Wimp Shoopman. Motion to accept minutes was passed by a unanimous vote.

Mr. Jenks stated that a motion would be accepted pertaining to approval or denial of the proposed changes to the Clinton UGB. Mr. Jenks also stated that the next step in the process if the proposed UGB changes were accepted was to submit the proposed changes to all of the municipal and County legislative bodies for ratification or denial. In accordance with Public Chapter 1101, all legislative bodies have 120 days to take action on the proposed change. If no action is taken within the 120-day period, then it is inferred that the proposed change is ratified by those legislative bodies that do not take any action to approve or deny.

MOTION: Jim O'Conner made a motion to accept Clinton's proposed changes to their UGB without any modification. A second on the motion was received from Greg Fay. The motion passed on a unanimous roll call vote.

Mr. Jenks requested that all Committee members sign each of the two maps in the appropriate signature block. One map provided an enlarged view of Clinton's current UGB with the parcels being requested for inclusion in Clinton's UGB shown in yellow. The second map provided the entire Anderson County Growth Plan as approved in 2008 with the requested additions shown in red. If approval is received from all of the legislative bodies then both maps will be submitted to the Local Government Planning Advisory Committee for final approval to amend the Anderson County Growth Plan.

Meeting was adjourned at 5:50 pm.

ANDERSON COUNTY COORDINATING COMMITTEE

ATTENDANCE/ROLL CALL VOTE

Meeting Date: ~~November 18, 2008~~ January 5, 2009

	YES	NO	Present	Absent
BRIAN JENKS Anderson County Environmental Coordinator	✓		✓	
GREG DARNELL Anderson County Building Commissioner	✓		✓	
PARKER HARDY Oak Ridge Chamber Of Commerce				X
JIM O'CONNOR Oak Ridge City Manager	✓		✓	
WIMP SHOOPMAN Clinton City Mayor	✓		✓	
REX LYNCH Anderson County Mayor				X
TOM BEEHAN Oak Ridge Mayor				X
JOHN PRICE Anderson County Board of Education	✓		✓	
TOMMY MARINER Norris Mayor City Council Member	✓		✓	
GREG FAY Clinton Utility Board / E.T.D.D.	✓		✓	
DAVID BOLLING Oliver Springs City Manger Mayor	✓		✓	
BUCK WILSON Lake City Mayor				X
HOWARD FARMER Soil Conservation District				X
DENNIS WAGNER AT&T				X
SUZANNE KOEHLER Covenant Health	✓		✓	
Motion: Accept amendments as presented Oconnor & Greg Fay 3 motion passed by roll call vote				

Motion: TM
 2nd: WS 3 minutes passed by a show of hands

City of Lake City
P.O. Box 66
Lake City, TN 37769

March 25, 2009

County Mayor Rex Lynch
100 North Main
Room 208
Clinton, TN 37716

Dear County Mayor Lynch,

The Board of Mayor and City Council of the City of Lake City, Tennessee adopted the amended growth plan for Anderson County in their regularly scheduled meeting of March 19, 2009.

If you have any questions, please call me at 865-426-2838. Thank you for your courtesy.

Sincerely,



V.E. "Buck" Wilson
Mayor
City of Lake City



February 10, 2009

Rex Lynch
Anderson County Mayor

Dear Rex,

Per your request of January 14, 2009, Norris City Council reviewed the proposed change to the Urban Growth Boundary for the City of Clinton.

The City of Norris ratified the request for change in Council on February 9, 2009.

Please let me know if any additional information is required.

Best regards,

A handwritten signature in cursive script that reads "Chris Mitchell".

Chris Mitchell
City of Norris Mayor



ffects Urban Growth Boundaries for all municipalities
 oved in 2008 and requested additions to Urban
 Boundaries or completed annexation of properties
 or Springs, Lake City, Clinton and Norris.

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* UGB = Urban Growth Boundary

Anderson County Growth Plan Legend

- City of Clinton UGB (Approved 2008)
- Lake City UGB (Approved 2008)
- City of Norris UGB Approved 2008)
- Oak Ridge UGB (Approved 2008)
- City of Clinton Requested Addition to UGB
- Planned Growth Area
- Municipal Boundaries

Anderson
 AT & T



Date: January 1, 2008
 Drawn By: Matthew Lambert

STATUS OF USE: FOR AN UNLAWFUL PURPOSE,
 OF AN UNLAWFUL COUNTY ZONING & PLANNING DEPARTMENT,
 CITY, COUNTY, STATE, AND COUNTY OF
 TENDERS FROM AND A GENERAL DAMAGE: None or
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State of Tennessee
Department of Economic and Community Development

Local Planning Assistance Office

William Snodgrass/Tennessee Tower Building-10th Floor
312 8th Avenue North
Nashville, Tennessee 37243-0405
615-741-2211

April 28, 2009

The Honorable Rex Lynch
Anderson County Mayor
100 North Main Street
Suite 208
Clinton, Tennessee 37716

Dear Mayor Lynch:

The Local Government Planning Advisory Committee at its meeting on April 22, 2009 amended the Anderson County Growth Plan submitted by the Anderson County Coordinating Committee. Enclosed is a copy of the materials submitted by the Coordinating Committee and a copy of the Local Government Planning Advisory Committee Resolution of Approval.

The Comprehensive Growth Plan law requires that you file your plan with your county register. The Local Government Planning Advisory Committee will also keep a copy of your plan. We understand a copy has already been filed with your county register. Please affix the attached certificate to that copy.

If I or the Local Government Planning Advisory Committee may be of additional assistance, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Dan Hawk".

Dan Hawk
Administrator

DH/jw

Enclosures

**SUBMITTAL OF COUNTY GROWTH PLAN
AND
CERTIFICATE OF RATIFICATION**

WHEREAS, the Anderson County Coordinating Committee has developed and recommended to the county and municipal legislative bodies of Anderson County an amendment to the County Growth Plan dated June 27, 2001 which complies with TCA 6-58-106; and

WHEREAS, the county and municipal legislative bodies have ratified the amendment to the Anderson County Growth Plan as required by TCA 6-58-104; and

WHEREAS the Anderson County Coordinating Committee has held the requisite public hearings pursuant to TCA 6-58-104;

NOW, THEREFORE the Anderson County Coordinating Committee submits to the Local Government Planning Advisory Committee the Anderson County Growth Plan Map 2007 Amended Version for its approval pursuant to TCA 6-58-104.

Brian D. Jenks
Chair
Anderson County Coordinating Committee

4/3/09
Date

**RESOLUTION OF
BY THE
LOCAL GOVERNMENT PLANNING**

WHEREAS, the Anderson County Coordinating Committee has recommended an amendment to the County Growth Plan for Anderson County;

WHEREAS, the Coordinating Committee has held the requisite public hearings pursuant to TCA 6-58-104,

NOW THEREFORE BE IT RESOLVED that the Anderson County Growth Plan be approved effective this date.

BRIAN JENKS
Anderson County
463-6870
bjenksc@andersonth.org

Kurtz G. Baldwin
Chair

April 22, 09
Date



ANDERSON COUNTY

REX LYNCH
COUNTY MAYOR

January 14, 2009

Dear Mayors:

The Anderson County Coordinating Committee approved a proposed change to the Urban Growth Boundary (UGB) for the City of Clinton on January 5, 2009. Two maps of the proposed changes have been included with this transmittal letter. The first map shows an enlarged section of the parcels requested for inclusion in Clinton's UGB. The second map shows the current Anderson County Growth Plan as approved in 2008 with the parcels requested for inclusion in the Clinton UGB shown in red. In accordance with Section IC, Item 4 of the guidance document entitled *Growth Policy, Annexation, and Incorporation Under Public Chapter 1101 of 1998*, the recommended growth boundary change(s) are to be forwarded to the county and municipal governing bodies to either ratify or reject the plan. A failure to ratify or reject the recommended plan within 120 days will serve as a ratification of the recommended growth plan. Please take the necessary actions to place the recommended growth plan on the agenda for your next city council meeting or county commission meeting for February or March 2009. Please request that the chairperson of your governing body provide me with written documentation of the approval or rejection of the recommended growth plan. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Rex Lynch".

Rex Lynch

Anderson County Mayor

Attachment

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN REGULAR SESSION ON FEBRUARY 16, 2009 WITH THE FOLLOWING COMMISSIONERS PRESENT: MURRELL ALBRIGHT, MARK ALDERSON, JOHN ALLEY, ROBIN BILOSKI, DAVID BOLLING, MIKE COX, JERRY CREASEY, CHUCK FRITTS, SCOTT GILLENWATERS, DOUG HAUN, WHITEY HITCHCOCK, MYRON IWANSKI, ROBERT MCKAMEY, JOHN SHUEY, TRACEY WANDELL AND JERRY WHITE.

Prayer given by Chaplain Jack Dempsey.

Pledge of Allegiance led by Commissioner Shuey.

1. Commissioner Cox moved to approve the Consent Agenda which includes January 19, 2009 County Commission minutes, Notary and Bonds, Library Board appointee Lance Vowell (filling Robert Gregory's unexpired term ending 6/2010), Anderson County School Report, Budgets Minutes-Group II School Transfers (2-5-09), Fire Commission, Legislative Committee Minutes and request from Lake City Middle requesting \$500.00 for Science Fair and \$250.00 for the start up of a Track and Field program. Seconded by Commissioner Albright. Motion carried by voice vote.

Notaries

Adam Anderson
 G Kay Anderson-Miller
 Pamela Benjamin
 April D Boswell
 Emily A Bracco
 Patricia Hope Caithness
 Jerry D Carpenter
 Jennifer L Chadwell
 Shannon Dean
 Mary Dickens
 Kelly A Dodson
 David R Dunkirk
 Anne Dunthorn
 Betty J Elder
 Katherine R Flinchum
 Brandi H Henson
 Thomas J Howe

Sherry L Jefferson
 Irene L Jenkins
 Ruby A Miller
 Marta R Monhollow
 L Gail Murphy
 Harold T Newhouse
 Chris Power
 Suzette Russell
 J Paul Sanderson
 Sandy Sherwood
 Patsy A Shultz
 Penny Sullivan
 Beth A Tuck
 Wilburn Ray Viles Jr.
 Brandy N Wheeler
 Kristofer W Wilson
 Kila W Worthington

Notary Bonds

Western Surety
 Steven James Ailey
 Mark O Bright
 Patricia Robbins Coker
 Melissa Byrd Hood
 Donna J Letson
 Martin Ayala Perez
 Marsha Ray
 Donald B Roe
 Brandy R Sams
 Lisa Seiber
 Timothy L Sharp

Allied Insurance
 Terry Penny Roberts
 State Farm
 Jerry D Carpenter
 Willene N Slusher-Quillen
 Claudia Riordan

Universal Surety
 Vivian L Crandell

2. Commissioner Fritts moved to amend the agenda to approve the three resolutions under the Mayors' Report. Seconded by Commissioner Albright. Motion carried by voice vote for the amended agenda.

23. Commissioner McKamey moved to approve recommendation from the Operations Committee to accept the proposal from Robert G Campbell & Associates in the amount of \$21,500,00 to provide mapping, preliminary engineering reports and schematic design with cost estimated for previous identified areas of Claxton. Seconded by Commissioner Fritts. Motion carried by voice vote.

24. Commissioner McKamey moved to approve recommendation from the Operations Committee that the sign language be "Larry Dickens Office Building". Seconded by Commissioner Gillenwaters. Motion carried by voice vote.

New Business

25. Commissioner White moved to approve the ratified "Anderson County Growth Plan, 2009 Amended Version" involving the following properties. Seconded by Commissioner McKamey.

Voting Aye: Albright, Alderson, Biloski, Bolling, Fritts, Gillenwaters, Haun, Hitchcock, Iwanski, McKamey, Shuey and White.
NO: Alley, Cox, Creasey and Wandell. Motion carried.

1. 11 acre tract purchased by the Fox Family located north of the current Fox Toyota dealership near the I-75 interchange (Exit 122).
2. 2.94 acre tract located at 216 Joe Owens Road (Map 043, Parcel 66.02)
3. 2.24 acre tract located at 119 Joe Owens Road (Map 043, Parcel 67.01)

26. Commissioner Iwanski moved to approve resolution to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act. Seconded by Commissioner Albright. Motion carried by voice vote.

RESOLUTION TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER UNCLAIMED PROPERTY ACT

WHEREAS, Tennessee Code Annotated Section 66-29-102 and Section 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and it agencies if it exceeds \$100, less a proportionate share of the cost of administering the program; and

WHEREAS, Anderson County Government and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act for the report year ending December 31, 2003 through the year ending December 31, 2006; and

WHEREAS; Anderson County Government agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year: and

WHEREAS, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charge and that the balance of funds will be deposited in this local government's general fund;

THEREFORE, BE IT RESOLVED that the Anderson County Board of County Commission of Anderson County Government requests the State Treasurer to pay the unclaimed balance of funds remitted for the 2003 through 2006 report year to it in accordance with the provisions of Tennessee Code Annotated Section 66-29-121. A list of remittances made by or on behalf of the local government and its agencies is attached.

I hereby certify that this is a true and exact copy of the foregoing resolution which was approved and adopted at a meeting held on the 16th day of February, 2009, original which is on file in this office. I further certify that the Anderson County Board of County Commission consists of 16 members, and that 16 members voted in favor of the resolution.




(Signature)

County M. Agor
(Title)

27. Commissioner Fritts moved that the Planning & Zoning Committee inform Anderson County Commission on the latest Zoning & Planning changes on major projects and permits issued with Zoning Dept. emailing such information to County Commission Chief Deputy Mary Murphy. Seconded by Commissioner McKamey. Motion carried by voice vote.

Adjourned.

Mark Alderson, Chairman
County Commission

Jeff Cole
County Clerk

wherein Baker Lane would be declared a public street. The Mayor advised that he thought that the Board of Zoning Appeals was going to be asked for a variance on this street due to the fact that it is not of standard width. Regardless, Baker Lane is only graveled and needs to be paved. There were comments that Baker Lane was on the three previous paving lists but had been dropped due to a lack of funds. Baker Lane needs to be moved to the top of the list.

B. Mr. Bolling met with a representative from Senator McNally's office and T.D.O.T. regarding the improvements of Tri-County Boulevard. There are other projects ahead of this one that are closer to bid, so it is unlikely that this project will qualify for stimulus funding. However, there is hope that as other projects may be completed with these federal stimulus dollars, it will free up state money that otherwise would have been spent, and that the Town's Tri-County Boulevard project can be designed and bid, with construction beginning, perhaps in the next state fiscal year. T.D.O.T. and the General Assembly will have a better idea in the next few weeks of exactly what the stimulus package is going to look like, and T.D.O.T. will know how many highway construction jobs it will be able to accomplish, and what the likelihood will be of T.D.O.T. being able to implement the Town's project. At this time T.D.O.T. is optimistic, and when Mr. Bolling receives additional information, he will advise.

OLD BUSINESS

The sign ordinance was discussed. Mr. Brummett advised that the church signs and the school signs are necessary signs. However, he does not know how the Town can enforce the ordinance without taking down these signs unless there is a no-profit exemption. Mr. Brummett recommended that the sign ordinance be amended to exclude signs non-profit organizations. Mr. Bolling advised that he believes that the school signs and the church signs were currently exempted, and cited to the several members of Town Council to the specific sections and sub-sections that granted the exemptions. Mr. Bolling requested that the Town Council or the Planning Commission review the sign ordinance to more clearly set out the regulations as to temporary signs, the fees for temporary signs, and the possible punishment for violation of the ordinance. Mr. Brummett requested that this be sent back to the Planning Commission.

NEW BUSINESS

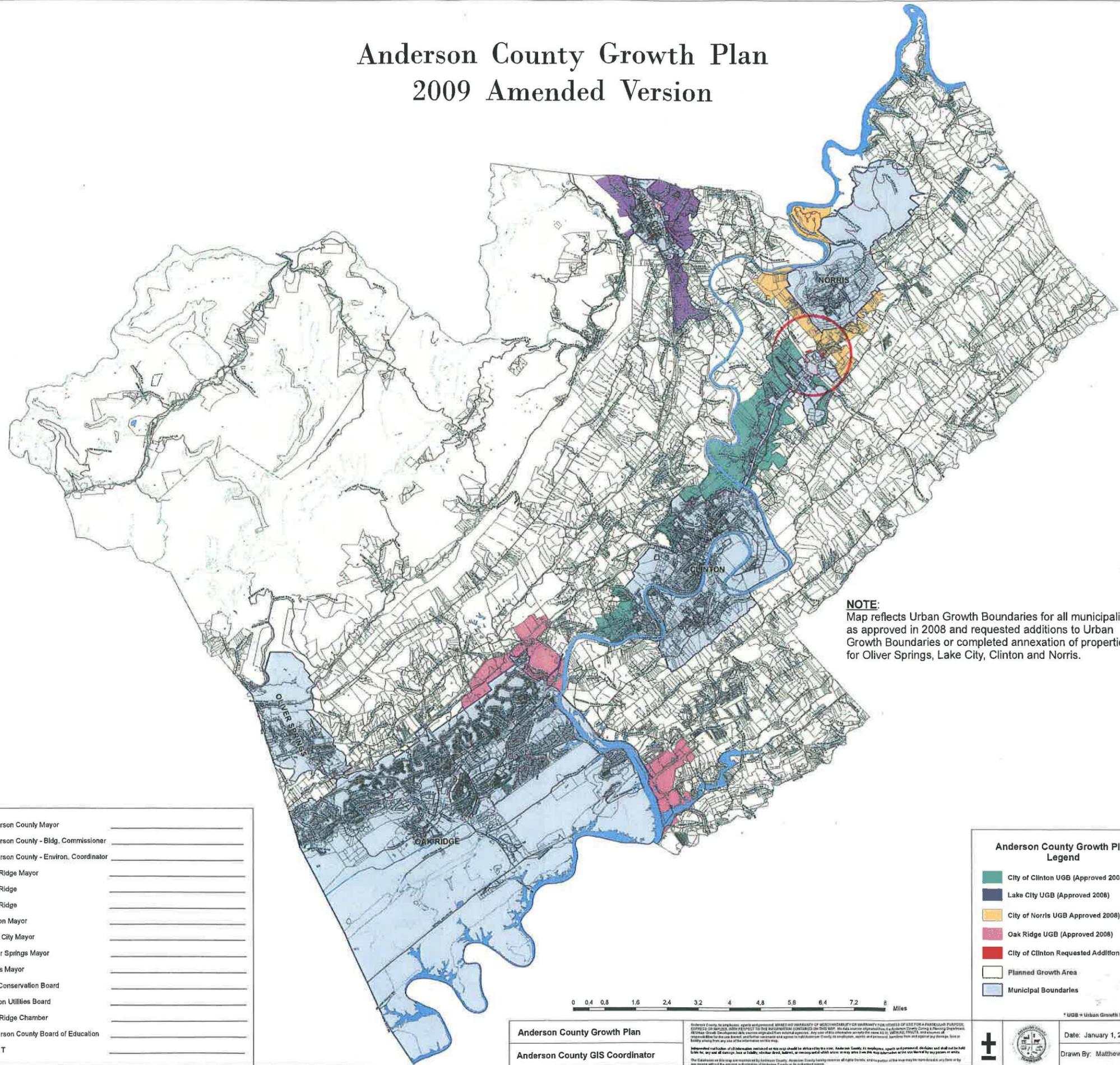
After discussion, lead by the Roane County Building Inspector Glenn Cofer, motion by Walker and second by Brummett to pass Ordinance No. 09-05-02, a resolution adopting the 2006 International Building Code and other codes as described in the resolution; and to pass Resolution No. 09-05-02A, a resolution adopting the 2006 International Building Code and other codes described in the ordinance. All voted aye.

After discussion, motion by Cox and second by Brummett to adopt and approve the proposed change to the Urban Growth Boundary for the City of Clinton as of January 5, 2009, and as recommended by the Anderson County Coordinating Committee, and that City Manager Bolling forward the appropriate copy of this ordinance approving this change to Anderson County Mayor Rex Lynch. All voted aye.

The Mayor announced that the Anderson County Trustee will be at the Oliver Springs City Hall on February 11, 2009, to collect the Anderson County property taxes.

Mayor Hepler advised that the Oliver Springs Historical Society is sponsoring a Sweetheart Walk-A-Thon on Valentine's Day, Saturday, February 14, 2009. The purpose is to raise funds to benefit the new Oliver Springs Museum. Registration is at

Anderson County Growth Plan 2009 Amended Version



NOTE:
Map reflects Urban Growth Boundaries for all municipalities as approved in 2008 and requested additions to Urban Growth Boundaries or completed annexation of properties for Oliver Springs, Lake City, Clinton and Norris.

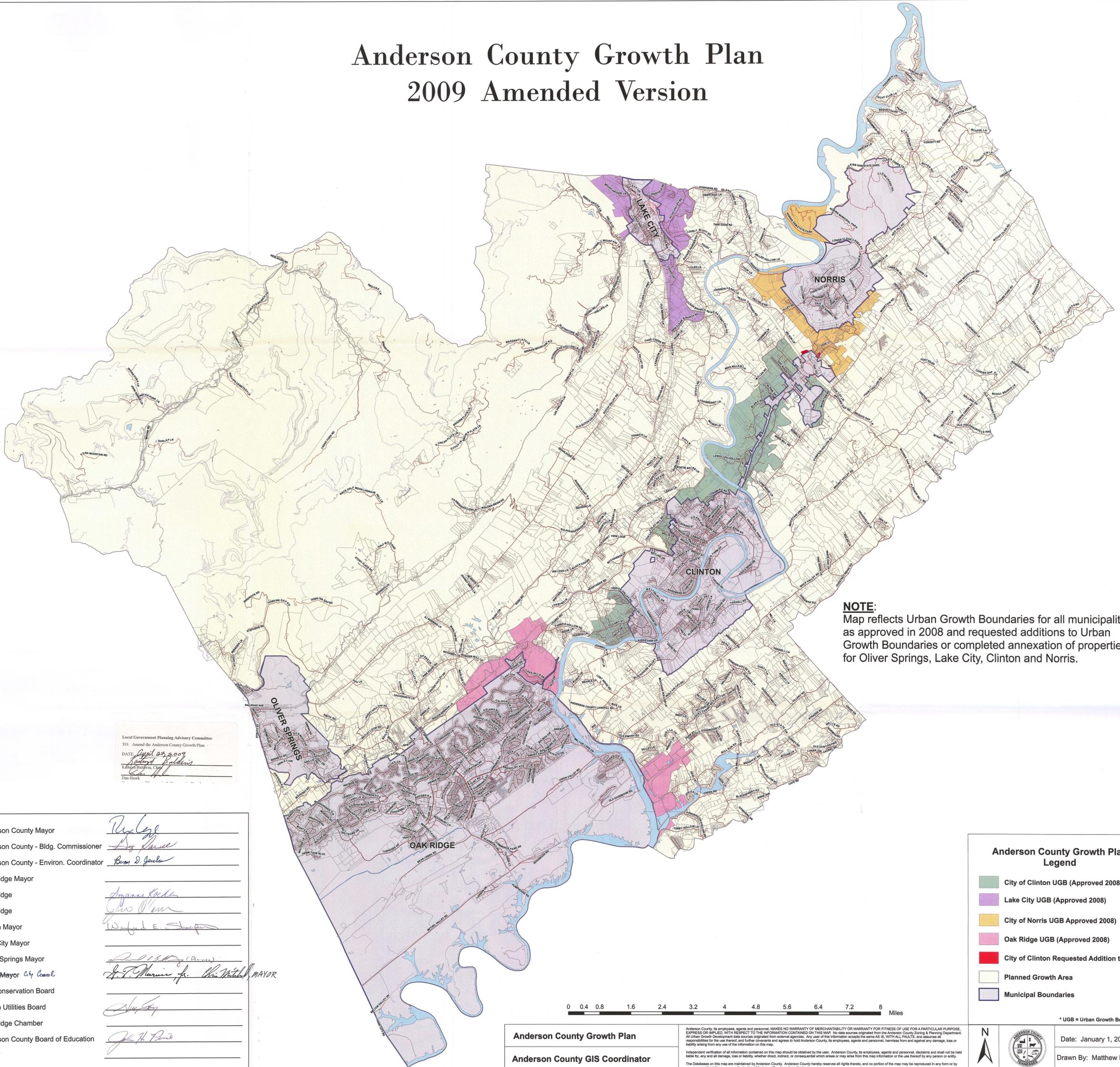
Anderson County Mayor	_____
Anderson County - Bldg. Commissioner	_____
Anderson County - Environ. Coordinator	_____
Oak Ridge Mayor	_____
Oak Ridge	_____
Oak Ridge	_____
Clinton Mayor	_____
Lake City Mayor	_____
Oliver Springs Mayor	_____
Norris Mayor	_____
Soil Conservation Board	_____
Clinton Utilities Board	_____
Oak Ridge Chamber	_____
Anderson County Board of Education	_____
AT & T	_____

**Anderson County Growth Plan
Legend**

- City of Clinton UGB (Approved 2008)
- Lake City UGB (Approved 2008)
- City of Norris UGB Approved 2008)
- Oak Ridge UGB (Approved 2008)
- City of Clinton Requested Addition to UGB
- Planned Growth Area
- Municipal Boundaries

* UGB = Urban Growth Boundary

Anderson County Growth Plan 2009 Amended Version



NOTE:
Map reflects Urban Growth Boundaries for all municipalities as approved in 2008 and requested additions to Urban Growth Boundaries or completed annexation of properties for Oliver Springs, Lake City, Clinton and Norris.

Local Government Planning Advisory Committee
TO: Amend the Anderson County Growth Plan
DATE: April 22, 2009
Kathleen Thompson, Chair
Dan Hawk

Anderson County Mayor _____
Anderson County - Bldg. Commissioner _____
Anderson County - Environ. Coordinator _____
Oak Ridge Mayor _____
Oak Ridge _____
Oak Ridge _____
Clinton Mayor _____
Lake City Mayor _____
Oliver Springs Mayor _____
Norris Mayor City Council _____
Soil Conservation Board _____
Clinton Utilities Board _____
Oak Ridge Chamber _____
Anderson County Board of Education _____
AT & T _____

- Anderson County Growth Plan Legend**
- City of Clinton UGB (Approved 2008)
 - Lake City UGB (Approved 2008)
 - City of Norris UGB Approved 2008
 - Oak Ridge UGB (Approved 2008)
 - City of Clinton Requested Addition to UGB
 - Planned Growth Area
 - Municipal Boundaries



Anderson County Growth Plan
Anderson County GIS Coordinator

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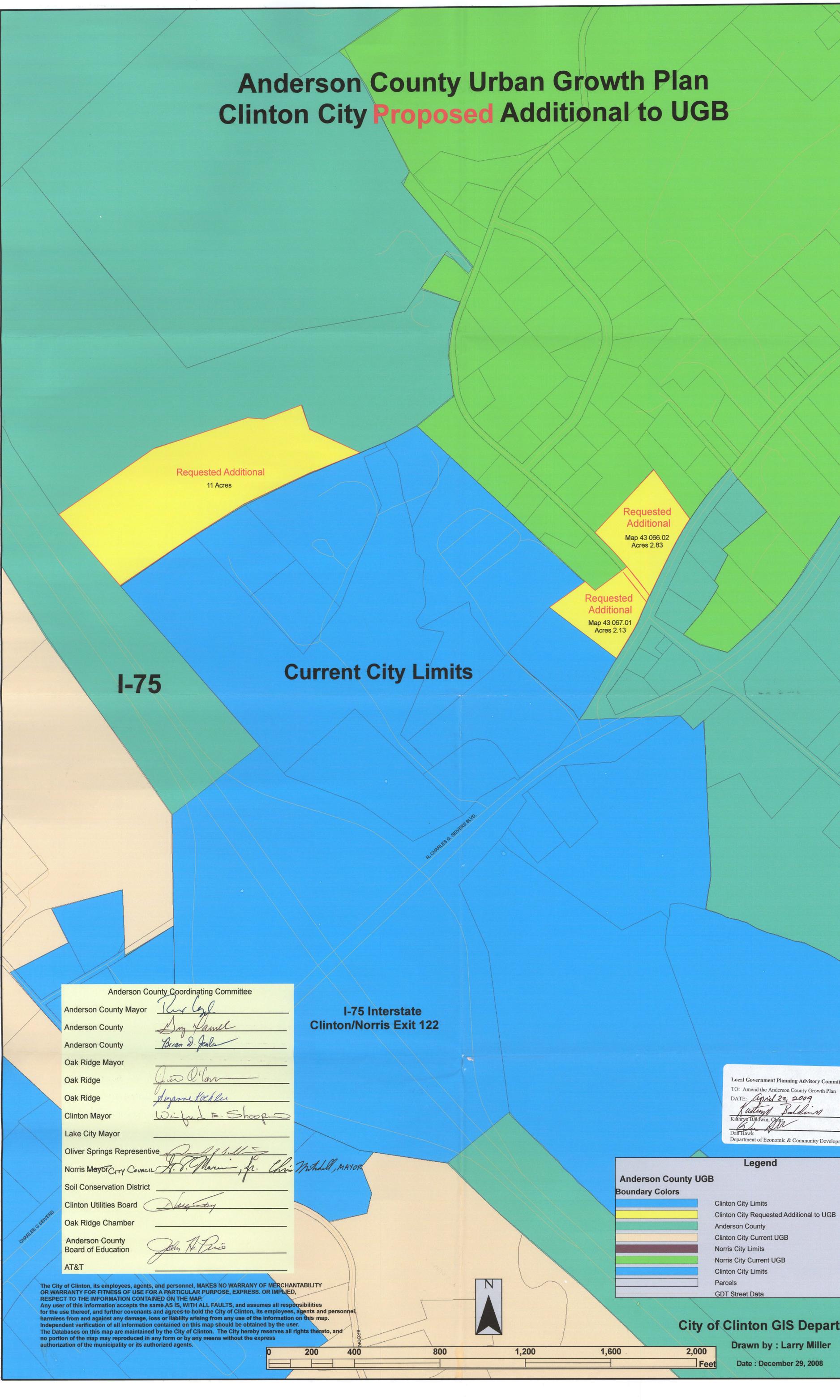
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* UGB = Urban Growth Boundary

Date: January 1, 2008
Drawn By: Matthew Lambert

Anderson County Urban Growth Plan Clinton City **Proposed** Additional to UGB



Anderson County Coordinating Committee

Anderson County Mayor *Paul Lyle*

Anderson County *Doug Kimmel*

Anderson County *Brian D. Jalen*

Oak Ridge Mayor *Jim O'Leary*

Oak Ridge *Stephanie Kehler*

Clinton Mayor *Winfred E. Shoop*

Lake City Mayor _____

Oliver Springs Representative *Paul J. Hill*

Norris Mayor/City Council *H. D. Martin, Jr.* *Chris Mitchell, Mayor*

Soil Conservation District _____

Clinton Utilities Board *Debra Kay*

Oak Ridge Chamber _____

Anderson County Board of Education *John R. Price*

AT&T _____

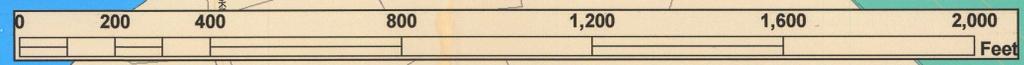
Local Government Planning Advisory Committee
TO: Amend the Anderson County Growth Plan
DATE: *April 29, 2009*
Kathryn Baldwin
Kathryn Baldwin, Chair
Dan Hawk
Dan Hawk
Department of Economic & Community Development

Legend

Anderson County UGB Boundary Colors

- Clinton City Limits
- Clinton City Requested Additional to UGB
- Anderson County
- Clinton City Current UGB
- Norris City Limits
- Norris City Current UGB
- Clinton City Limits
- Parcels
- GDT Street Data

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City of Clinton GIS Department

Drawn by : Larry Miller
Date : December 29, 2008

**Resolution of Approval
By The
Local Government Planning Advisory Committee
For
Plans Mediated By an Administrative Law Panel**

Whereas, an Administrative Law Panel or Administrative Law Judge appointed by the Tennessee Secretary of State has submitted a County Growth Plan for Anderson County and its municipalities; and

Whereas, the Administrative Law Panel or Judge has mediated a plan which has been ratified by the county and cities pursuant to TCA 6-58-104;

Now, Therefore Be It Resolved by the Local Government Planning Advisory Committee that the Anderson County Growth Plan is hereby approved and becomes effective this date.



Chair, Local Government Planning Advisory Committee

Jun 27, 2001
Date