



TENNESSEE

**Local Planning Assistance Office**

Rachel Jackson Building /6th Floor  
320 Sixth Avenue North  
Nashville, Tennessee 37243-0405  
615-741-2211

July 10, 2000

The Honorable Dwight Murphy  
County Executive of Scott County  
P. O. Box 69  
Huntsville, Tennessee 37756

Dear Mr. Murphy:

The Local Government Planning Advisory Committee at its meeting June 28 approved the Scott County Growth Plan submitted by the Scott County Coordinating Committee. Enclosed is one 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 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 black ink, appearing to read "Don Waller".

Don Waller  
Director

DW/jw

Enclosure

Submittal of County Growth Plan  
And  
Certificate of Ratification

Whereas, the Scott County Coordinating Committee has developed and recommended to the County and municipal legislative bodies of Scott County a Growth Plan which complies with TCA 6-58-106; and

Whereas, the County and municipal legislative bodies have ratified the Scott Growth Plan as required by TCA 6-58-104; and

Whereas, the Scott County Coordinating Committee has held the requisite public hearings pursuant to TCA 6-58-104;

Now Therefore, the Scott County Coordinating Committee submits to the Local Government Planning Advisory Committee the Scott County Growth Plan for its approval pursuant to TCA 6-58-104.

  
Chair, County Coordinating Committee

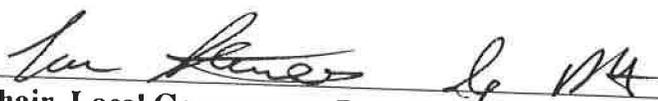
5/31/00  
Date

Resolution of Approval  
By The  
Local Government Planning Advisory Committee

Whereas, the Scott County Coordinating Committee has submitted a County Growth Plan for Scott 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 Scott County Growth Plan is hereby approved and becomes effective this date.

  
Chair, Local Government Planning Advisory Committee

6/28/00  
Date



# Plateau Electric Cooperative

16200 Scott Highway  
P.O. Box 4669  
Oneida, TN 37841-4669  
Telephone: 423/569-8591  
Fax: 423/569-6005

## Fax Cover Sheet

**To:** Don Waller **From:** John Seale

**Fax:** 615-741-5070 **Pages:** 2

**Phone:** **Date:** 6-9-2000

**Re:** **CC:**

- Urgent     For Review     Please Comment     Please Reply

Please attach to the Growth Plan Submitted  
by Scott County on May 31, 2000. This  
was inadvertently left out of package  
delivered on 5-31-2000 to your office.

**Submittal of County Growth Plan  
And  
Certificate of Ratification**

Whereas, the Scott County Coordinating Committee has developed and recommended to the County and municipal legislative bodies of Scott County a Growth Plan which complies with TCA 6-58-106; and

Whereas, the County and municipal legislative bodies have ratified the Scott Growth Plan as required by TCA 6-58-104; and

Whereas, the Scott County Coordinating Committee has held the requisite public hearings pursuant to TCA 6-58-104;

Now Therefore, the Scott County Coordinating Committee submits to the Local Government Planning Advisory Committee the Scott County Growth Plan for its approval pursuant to TCA 6-58-104.

  
Chair, County Coordinating Committee

5/31/00  
Date



## Plateau Electric Cooperative

16200 Scott Highway  
P.O. Box 4669  
Oneida, TN 37841-4669  
Telephone: 423/569-8591  
Fax: 423/569-6005

May 25, 2000

Mr. Don Waller  
Director, Local Planning  
10<sup>th</sup> Floor William R. Snodgrass TN Tower  
312 8<sup>th</sup> Avenue, North  
Nashville, TN 37243-0405

Dear Mr. Waller:

Please find enclosed two copies of Scott County's Growth Plan consisting of:

1. Maps
2. Copies of ratification of Plan by all governmental entities involved.

This plan represents the county's second plan to be ratified by all. The first plan was not approved by the state before the judicial system struck down the incorporation of Helenwood. Therefore, the second plan does not include the Town of Helenwood.

The second plan also includes litigation areas in the Town of Huntsville. Huntsville had to wait on a ruling on Helenwood to know what to do about these recent annexations.

Now that Helenwood does not exist, the citizens against the Huntsville annexations can proceed with litigation. If the court rules in favor of the citizens and against Huntsville, then these areas (marked in green on Map 5) will become Huntsville UGB's. If the ruling goes in favor of Huntsville, the areas are then current city limits.

If there are any questions, please don't hesitate to call.

Sincerely,



John B. Seale, Jr.  
Chairman, Scott County Growth Committee

kas

RESOLUTION - 2000-3

WHEREAS, the Town of Huntsville, Tennessee has challenged the constitutionality of Chapter 1101 of the Public Acts of 1998 and anticipates further challenges to the Act; and

WHEREAS, the Act exacts certain penalties on cities on towns if they do not approve a county wide growth plan; and

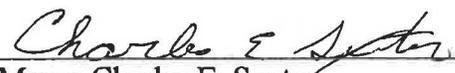
WHEREAS, the county wide growth committee for Scott County has submitted a recommendation to the Town of Huntsville and Scott County; and

WHEREAS, the county wide growth committee has agreed that annexation Ordinances currently in litigation (Highway 27 North and South of the current Town Boundaries) shall become part of the Town of Huntsville's urban Growth Area along with other areas currently marked on the county's urban growth committee's official maps, if aforementioned Ordinances be struck down in the judiciary system; and

WHEREAS, the Town of Huntsville wishes to preserve its challenges to the constitutionality and legality of Chapter 1101 while avoiding penalties to itself, the county, and surrounding municipalities;

NOW THEREFORE, Subject to its objection that Chapter 1101 is illegal and unconstitutional, the Town of Huntsville accepts the Scott County Growth Plan as approved by the county wide growth committee.

Signed this 25<sup>th</sup> day of May 2000

  
\_\_\_\_\_  
Mayor Charles E. Sexton

ATTEST:

  
\_\_\_\_\_  
Cynthia Lewallen, CMC

**Resolution No. 578**

**WHEREAS, Public Chapter 1101 of 1998 requires that every County in Tennessee have a 20 year Growth Plan before July 1, 2000; and**

**WHEREAS, all cities in Scott County have presented their proposed Urban Growth Areas to the County Wide Growth Committee; and**

**WHEREAS, Scott County has presented its proposed Planned Growth Areas and Rural Areas; and**

**WHEREAS, the County Wide Growth Committee has prepared its recommendation to be presented to the Scott County Government and the City Governments; and**

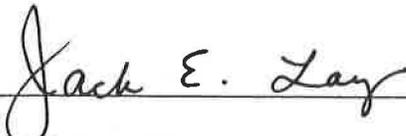
**WHEREAS, all units of Government have held or will hold their required public hearings prior to July 1, 2000; and**

**WHEREAS, the County Wide Growth Committee has held its two required hearings on the County Wide Plan;**

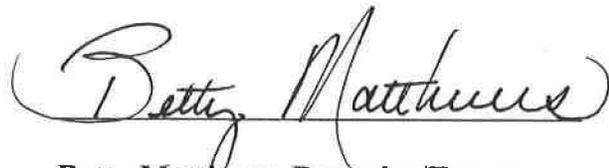
**NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Aldermen for the Town of Oneida go on record as accepting the recommendation of the County Wide Growth Committee concerning the Urban Growth Areas, Planned Growth Areas and Rural Areas and ratify this overall growth plan for the cities and County of Scott;**

**Further, that the Town of Oneida accepts the overall Growth Plan and request that all cities inside Scott County accept the plan as presented.**

Signed this 18<sup>th</sup> May, 2000.



Jack E. Lay, Mayor



Betty Matthews, Recorder/Treasurer

I, hereby certify that this is a true and exact copy of the original.



Betty Matthews, Recorder/Treasurer

RESOLUTION NUMBER 00-10

A RESOLUTION BY THE WINFIELD BOARD OF MAYOR AND ALDERMAN ADOPTING THE COUNTYWIDE GROWTH PLAN PROPOSED BY THE SCOTT COUNTY COORDINATING COMMITTEE

WHEREAS, Section 6-58-104 (2)(a) of the Tennessee Code states that the Scott County Coordinating Committee shall develop a recommended growth plan by not later than January 1, 2000;

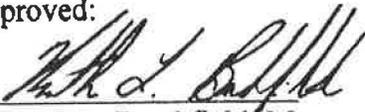
WHEREAS, Section 6-58-104 (2)(a) further states that such plan shall be ratified by the county legislative body and the governing body of each municipality;

WHEREAS, the Winfield Board of Mayor and Alderman has review the Countywide Growth Plan for Scott County, Tennessee and found it to be in compliance with the requirements of section 6-58-106 (b) and 6-58-106(c) of the Tennessee Code;

NOW, THEREFORE BE IT RESOLVED, that the Countywide Growth Plan for Scott County, Tennessee is adopted by the Winfield Board of Mayor and Aldermen;

THIS RESOLUTION adopted this the 23<sup>rd</sup> day of May, 2000.

Approved:



Kenneth L. Burchfield, Mayor

Attest:



Robyn McBroom, City Recorder



# Plateau Electric Cooperative

16200 Scott Highway  
P.O. Box 4669  
Oneida, TN 37841-4669  
Telephone: 423/569-8591  
Fax: 423/569-6005

May 15, 2000

City of Huntsville  
City of Oneida  
City of Winfield  
Scott County

RE: Scott County Growth Plan

Dear Governmental Entity:

The Scott County Growth Committee is presenting their plan for your ratification. This is essentially the same plan you ratified earlier with the following differences:

1. The Town of Huntsville area is the same except the litigation areas are shown in green. If the court system rules in favor of the citizens against annexation, the areas will be designated Huntsville UGB.
2. All other areas that were shown as Helenwood Town or UGB will be County PGA.

The committee is asking that each government ratify, sign a certification of ratification, and return such to me by June 1, 2000. This will hopefully allow us the bonus points on some grants awarded in June.

If there are any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. Seale, Jr.", written over a circular stamp or mark.

John B. Seale, Jr.  
Chairman, Scott County Growth Committee

kas

Reviewed 6/22/00 ~~ACT~~

Local Government Planning Advisory Committee  
County Growth Plan Checklist

Scott County

yes

Two Copies of the Growth Plan (Minimum of two maps depicting Municipal Boundaries, Urban Growth Boundaries, Planned Growth Areas, and Rural Areas).

yes

One signed copy of the Certificate of Ratification form.

36 labels needed

County wide index map

Blackline   Orange line   Green line

Map 2 Oneida City + UGB

Map 1 Winfield City + UGB

Map 5 Huntsville City + UGB + annexations under litigation

Map 6 Point Road Area P6A  
Between Huntswrt & Oneida   Blackline   Orange   Yellow   White area  
City + ~~County~~ + UGB + PGA + RA

Map 7 Hwy 63 Area from  
Huntsville to Campbell P6A  
Co.

Yellow line   white area  
PGA + RA

MAP 3 Black Oak P6A

Orange line  
Oneida UGB   PGA + RA

MAP 4 Helenwood P6A  
MAP 8 New River Glenmary P6A

Ready to Approve

RESOLUTION NO. 20

WHEREAS, Public Chapter 1101 of 1998 requires that every County in Tennessee have a 20 year Growth Plan before July 1, 2000; and

WHEREAS, all cities in Scott County have presented their proposed Urban Growth Areas to the County Wide Growth Committee; and

WHEREAS, Scott County has presented its proposed Planned Growth Areas and Rural Areas; and

WHEREAS, the County Wide Growth Committee has prepared its recommendation to be presented to the Scott County Government and the City Governments; and

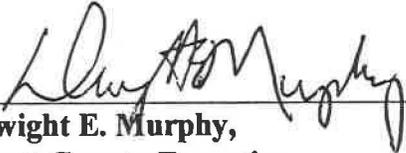
WHEREAS, all units of government have held or will hold their required public hearings prior to July 1, 2000; and

WHEREAS, the County Wide Growth Committee has held its two required hearings on the County Wide Plan;

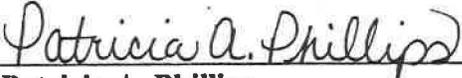
NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Scott County go on record as accepting the recommendation of the Urban Growth Areas, Planned Growth Areas, and Rural Areas as set out by the County Wide Growth Committee;

FURTHER, that Scott County Government accepts the overall Growth Plan and request that all cities inside Scott County accept the plan as presented.

Signed this 15th day of May, 2000.

  
Dwight E. Murphy,  
Scott County Executive

ATTEST:

  
Patricia A. Phillips,  
Scott County Clerk

Motion by Blevins, second by Cross, to approve the above Resolution as presented. Further, that the letter from John B. Seale, Jr., Chairman, Scott County Growth Committee be attached to this Resolution.

Voting AYE: Bertram, Blevins, Bridges, Burke, Cross, Keeton, Ernest Phillips, Hertis Phillips, Russ, Sexton, Silcox, Slaven, Watson.

Voting NAY: NONE

PASS: Ellis.

ABSENT: NONE

Motion Carried.

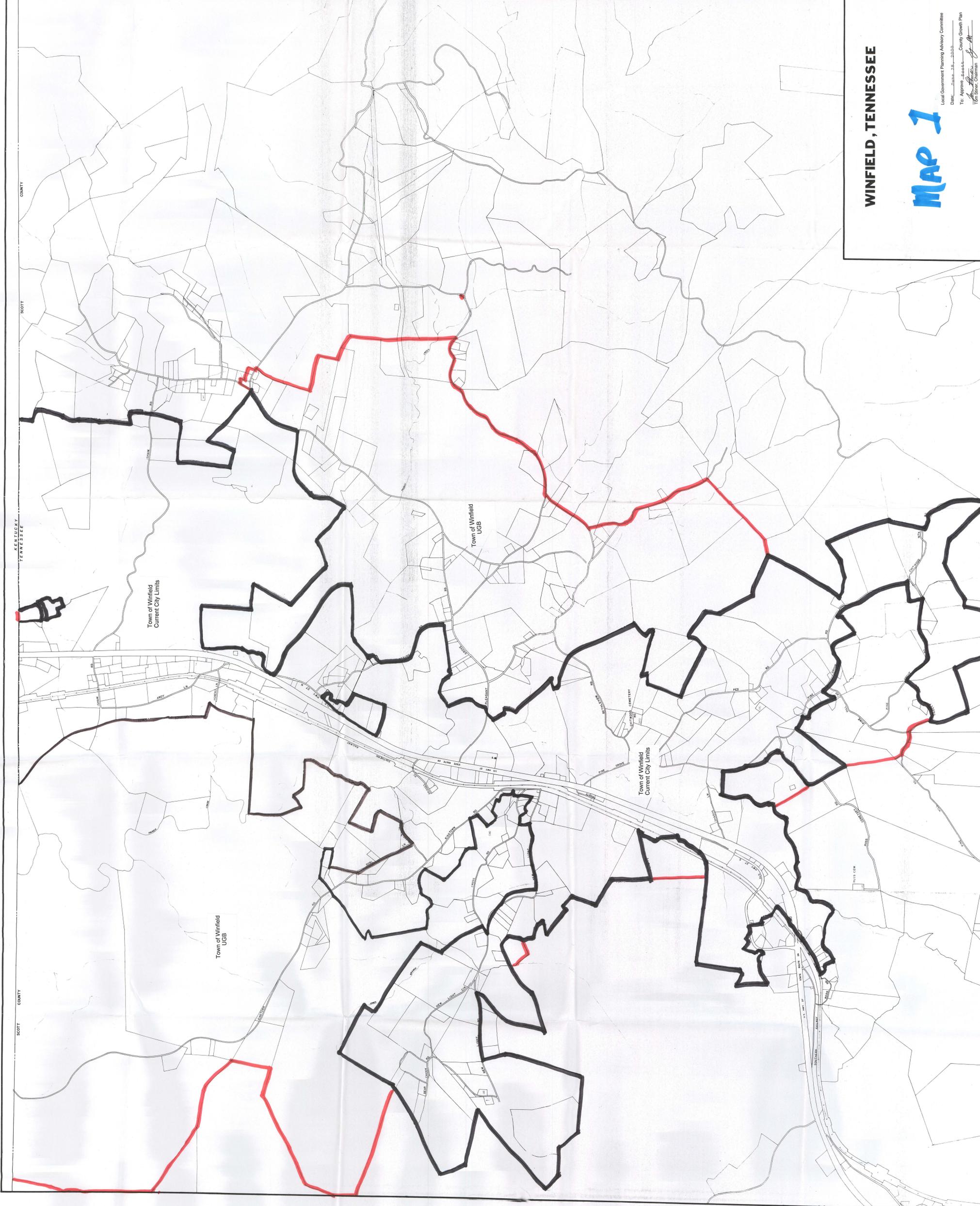
STATE OF TENNESSEE  
SCOTT COUNTY

I, Patricia A. Phillips, County Clerk do hereby certify that the foregoing copy is a full, true and perfect copy of the original

as same appears of record now on file in my office.

Witness my hand and official seal, at office in Huntsville, Tenn. this the 24th day of May 2000

  
County Clerk



SCOTT COUNTY KENTUCKY TENNESSEE SCOTT COUNTY

Town of Winfield  
Current City Limits

Town of Winfield  
UGB

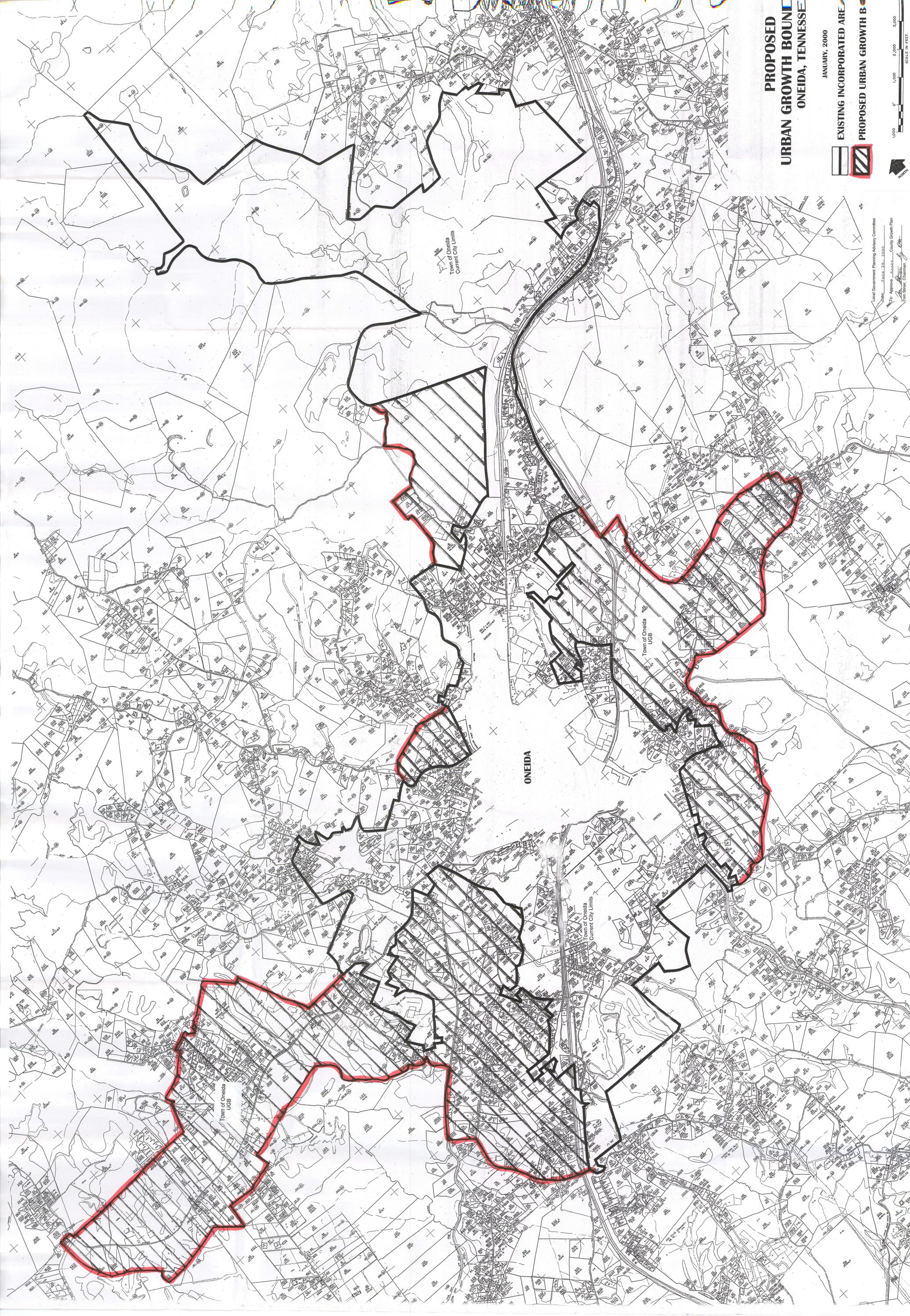
Town of Winfield  
Current City Limits

Town of Winfield  
UGB

# WINFIELD, TENNESSEE

## MAP 1

Local Government Planning Advisory Committee  
Date: June 28, 2011  
To: Approval Board - County Growth Plan  
Tom Stiner, Chairman



**PROPOSED  
URBAN GROWTH BOUNDARY  
ONEIDA, TENNESSEE**

JANUARY, 2000

EXISTING INCORPORATED AREA

PROPOSED URBAN GROWTH BOUNDARY



Town of Oneida  
Current City Limits

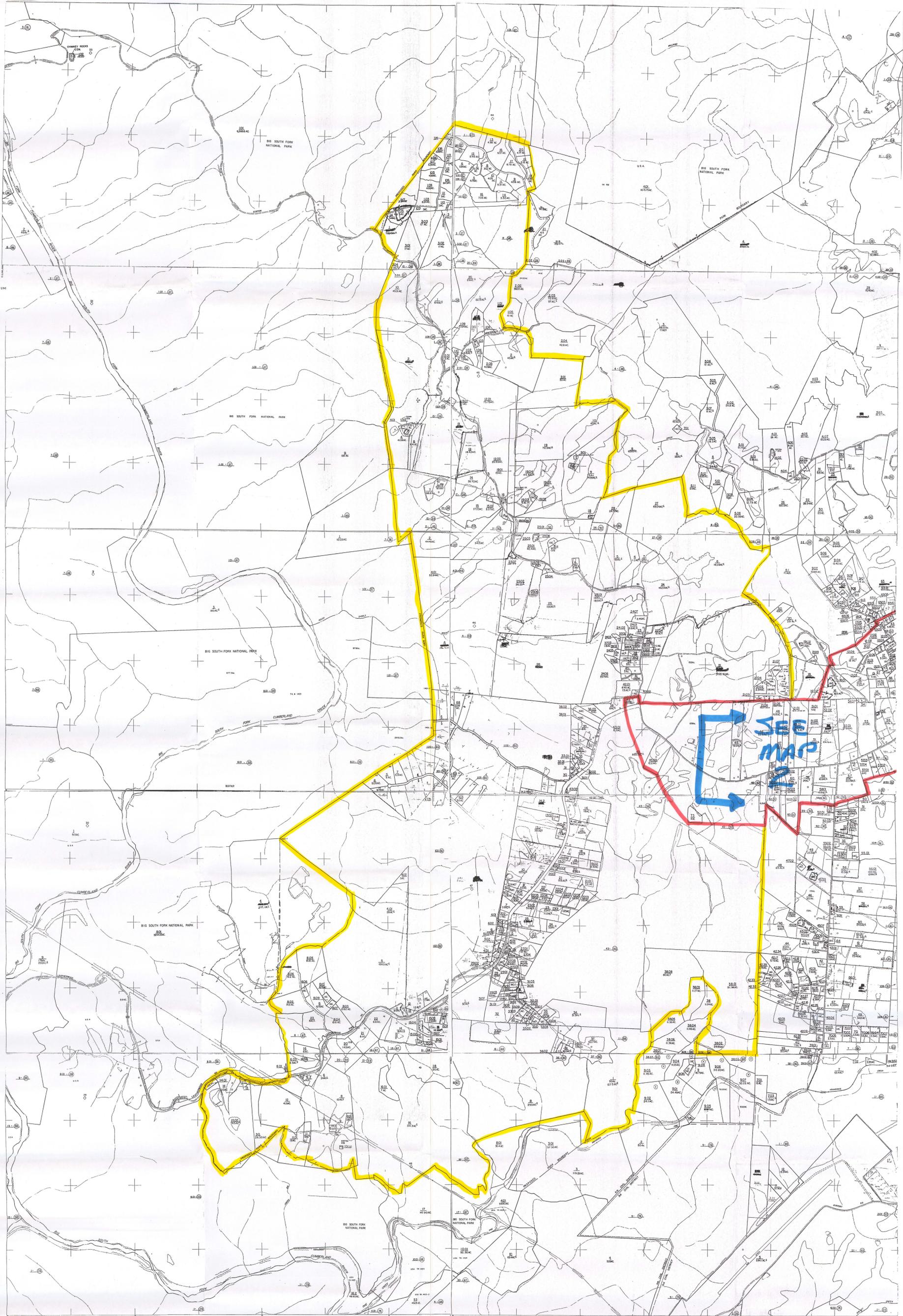
Town of Oneida  
UCB

Town of Oneida  
Current City Limits

Town of Oneida  
UCB

ONEIDA

Local Government Planning Advisory Committee  
Date: 1/11/00  
To: Approve  
From: Stiner, Chairman



CAN NOT BE REPRODUCED W/O O&S'S AUTHORIZATION 800-374-7488

UNITED AERIAL MAPPING

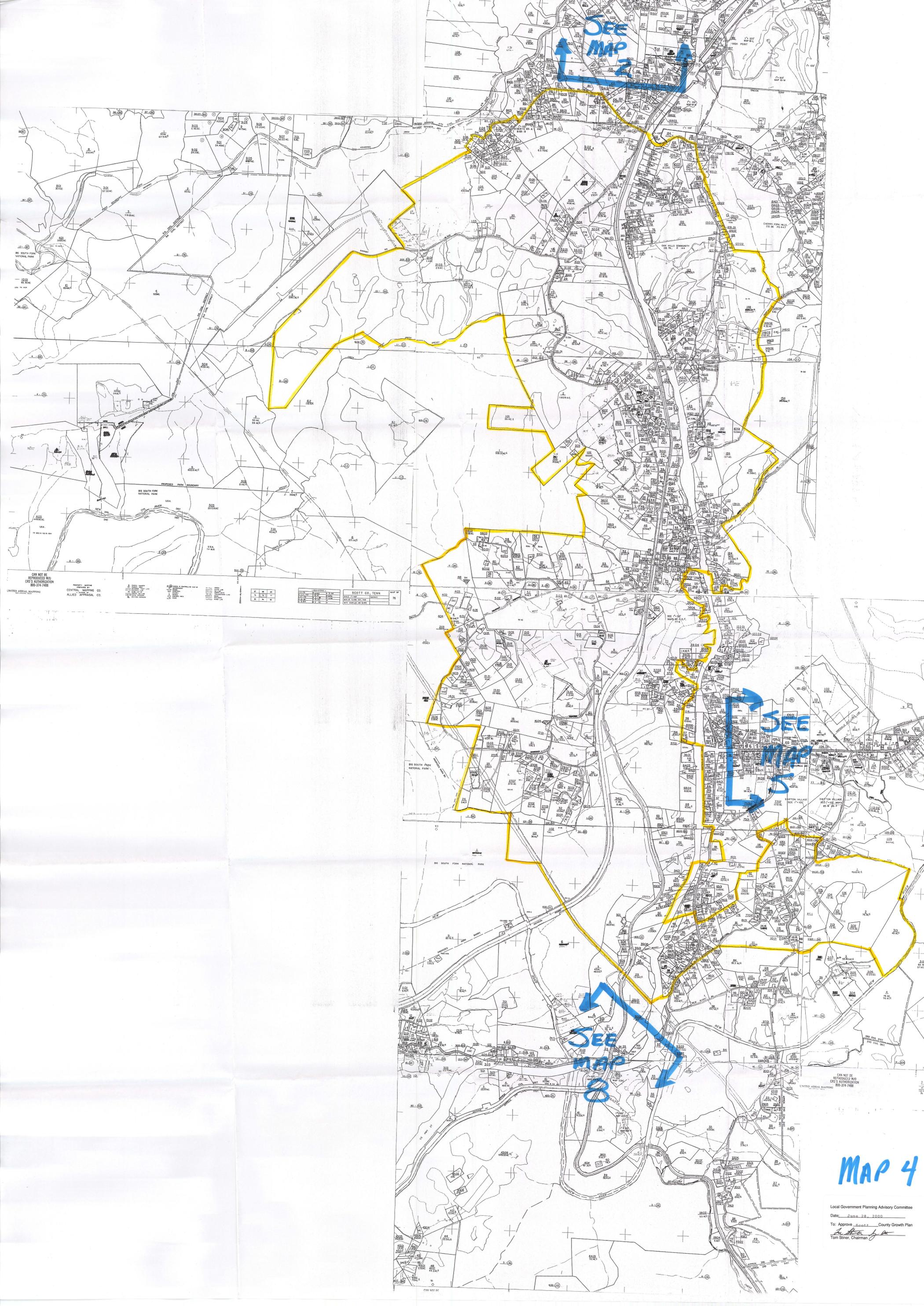
SCOTT CO. TENN. MAP # 67

UNITED AERIAL MAPPING

SCOTT CO. TENN. MAP # 68

Local Government Planning Advisory Committee  
 Date: June 28, 2000  
 To: Approve Scott County Growth Plan  
 Tom Stiner, Chairman

MAP 3



SEE MAP

SEE MAP

SEE MAP

CAN NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE UNITED AERIAL MAPPING COMPANY, INC. 800-374-7468

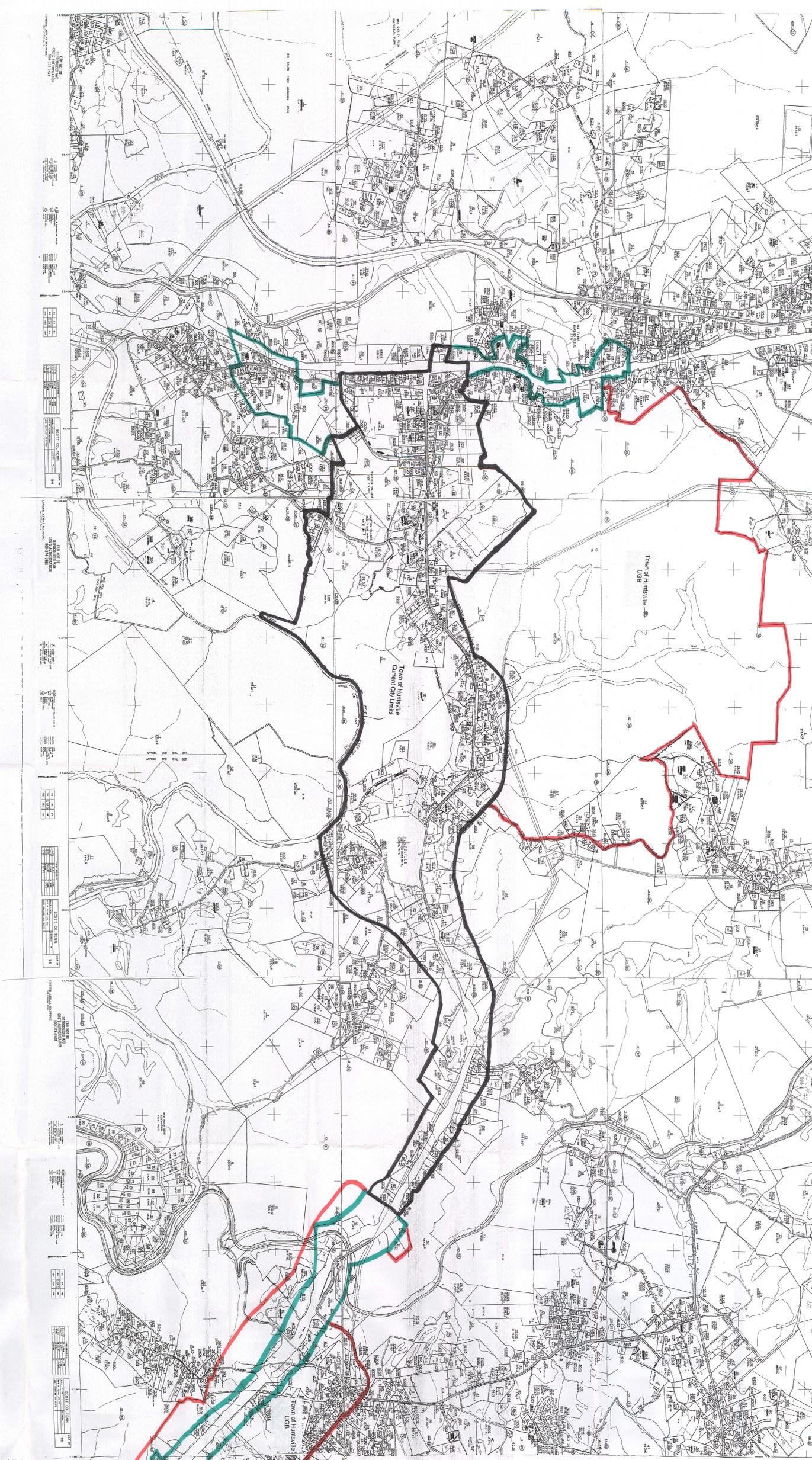
PROPERTY MAPS  
CENTRAL MAPPING CO.  
ALLIED APPRAISAL CO.

UNITED AERIAL MAPPING

SCOTT CO. TENN.	
DATE	7/28/2000
SCALE	1" = 100'
PROJECT	COUNTY GROWTH PLAN
DRAWN BY	J. STINER
CHECKED BY	J. STINER
APPROVED BY	J. STINER

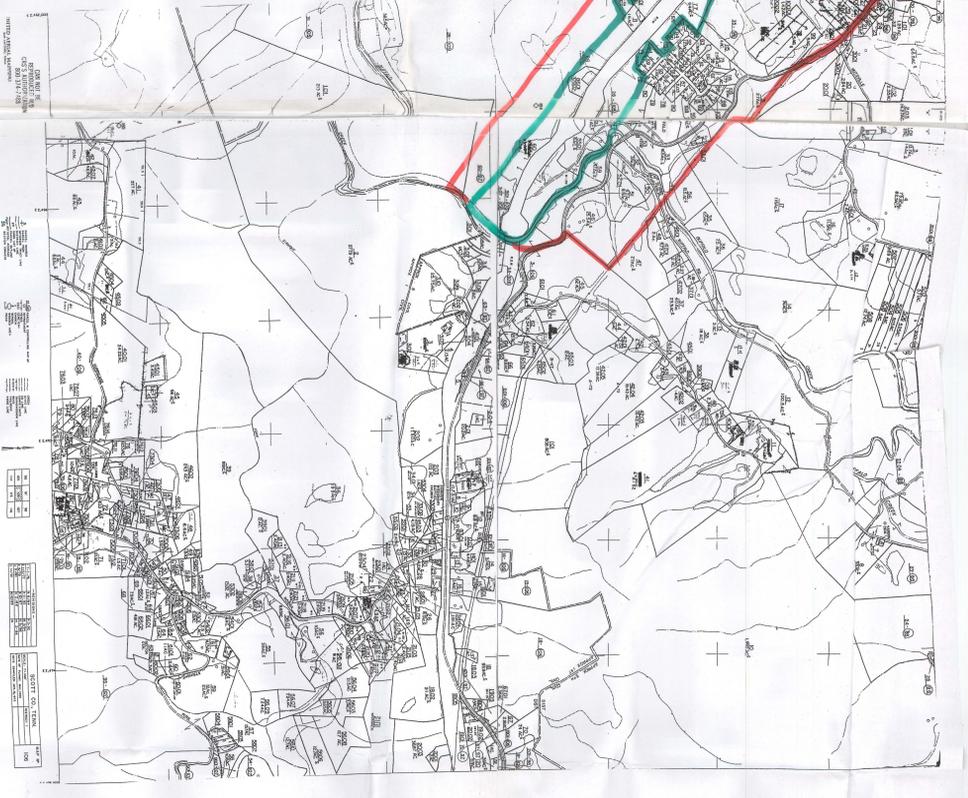
# MAP 4

Local Government Planning Advisory Committee  
 Date: June 28, 2000  
 To: Approve Scott County Growth Plan  
*[Signature]*  
 Tom Stiner, Chairman

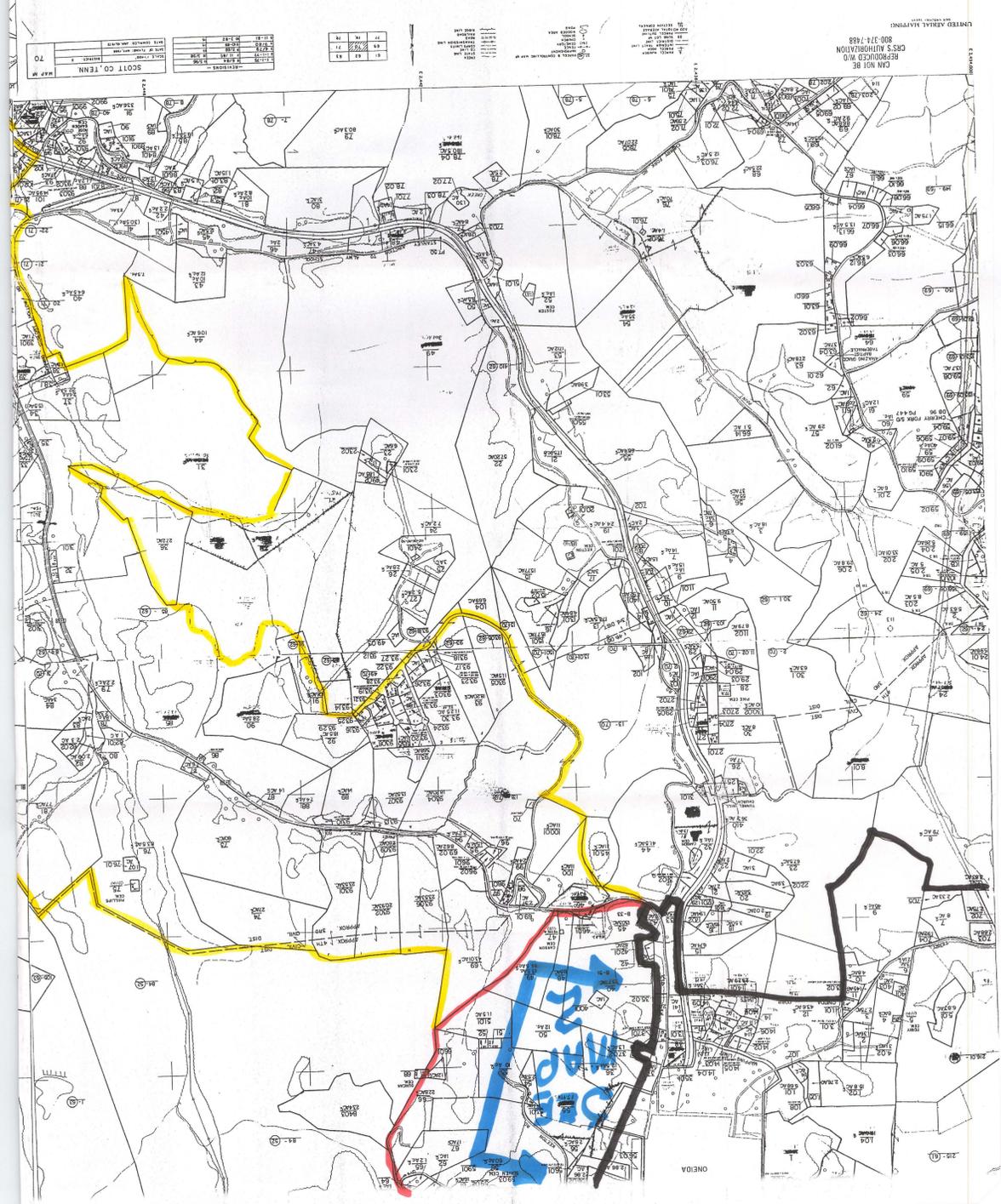
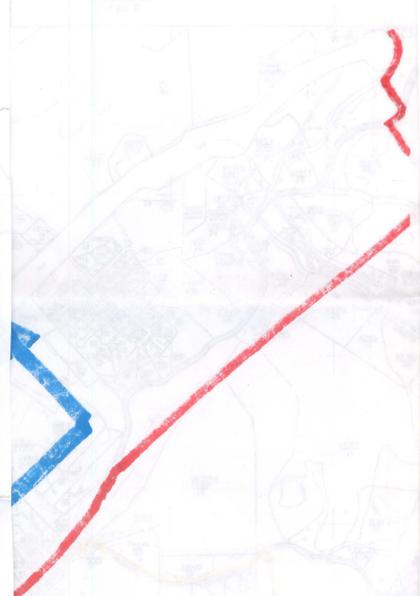


MAP 5

Local Government Planning Advisory Committee  
Date: 12/18/2010  
To: Mayor's Office - County Growth Plan  
From: [Signature]



1475



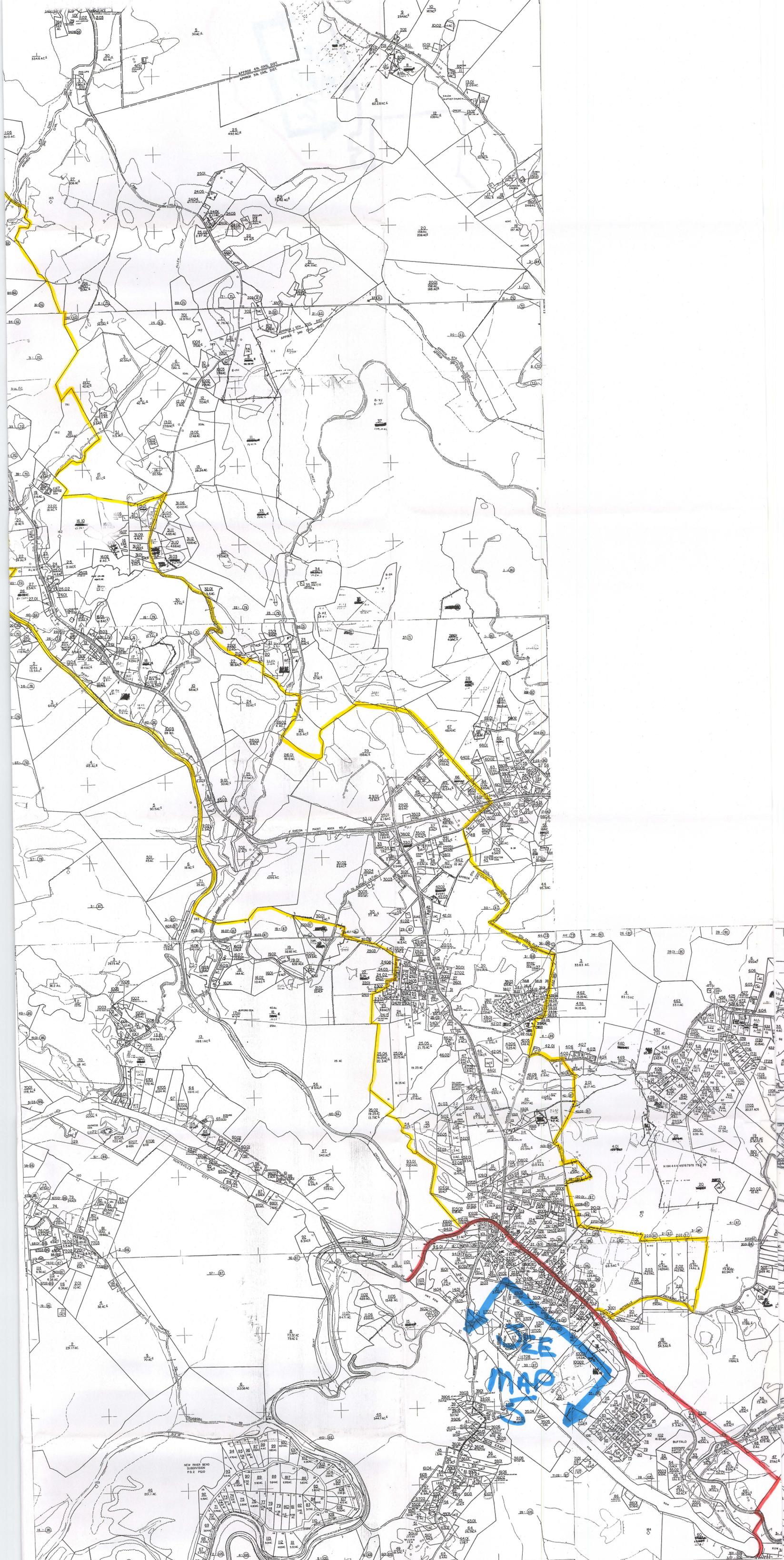
SCOTT CO. TENN.

1:25,000	1:50,000	1:100,000
1:200,000	1:500,000	1:1,000,000

1:25,000	1:50,000	1:100,000
1:200,000	1:500,000	1:1,000,000

UNITED STATES AIR FORCE  
REPRODUCTION  
OF  
MAP NO. 274 7488  
CITY OF MEMPHIS  
MEMPHIS, TENN.

City Map



CAN NOT BE REPRODUCED W/O CR'S AUTHORIZATION 800-374-7488

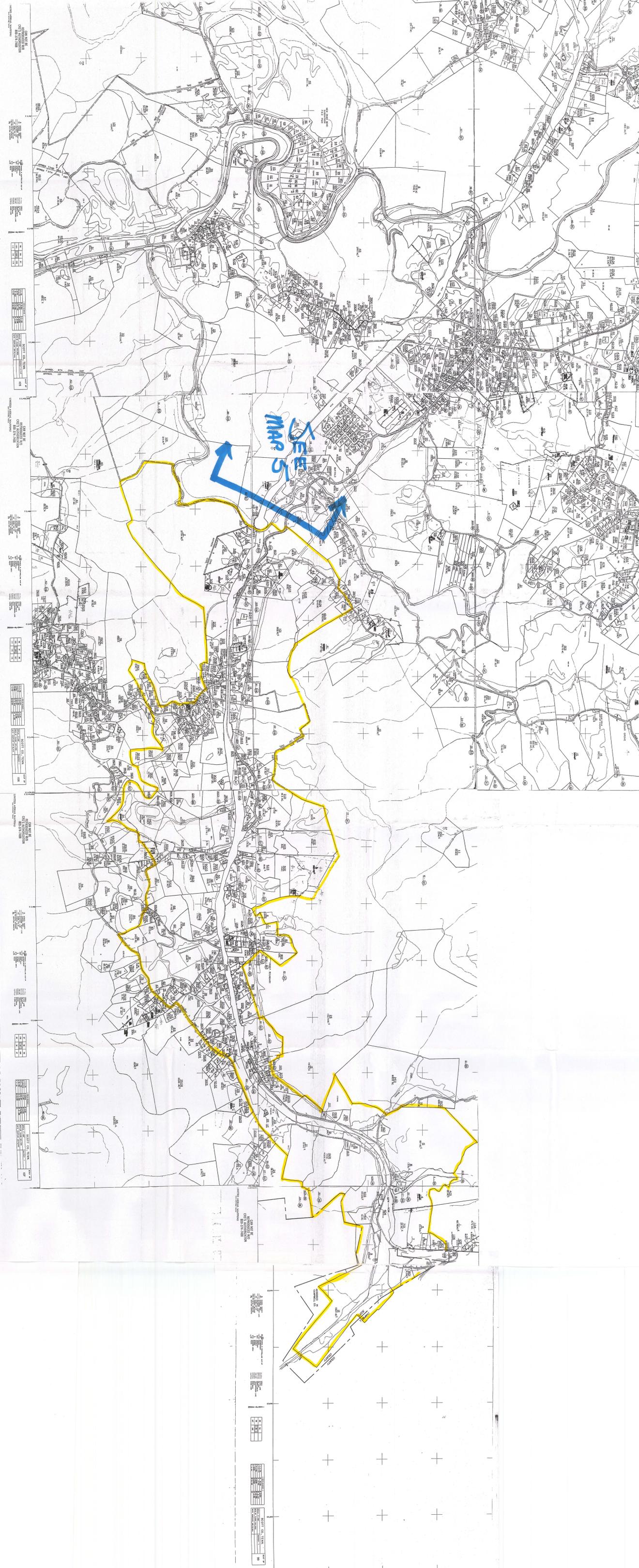
UNITED AERIAL MAPPING

SCOTT CO, TENN.		MAP NO.
DATE	11/17/99	96
SCALE	1" = 100'	
BY	UNITED AERIAL MAPPING	
DATE COMPLETED	11/17/99	

CAN NOT BE REPRODUCED W/O CR'S AUTHORIZATION 800-374-7488

Local Government Planning Advisory Committee  
 Date: June 28, 2000  
 To: Approve Scott County Growth Plan  
 Tom Stiner, Chairman

Map 6



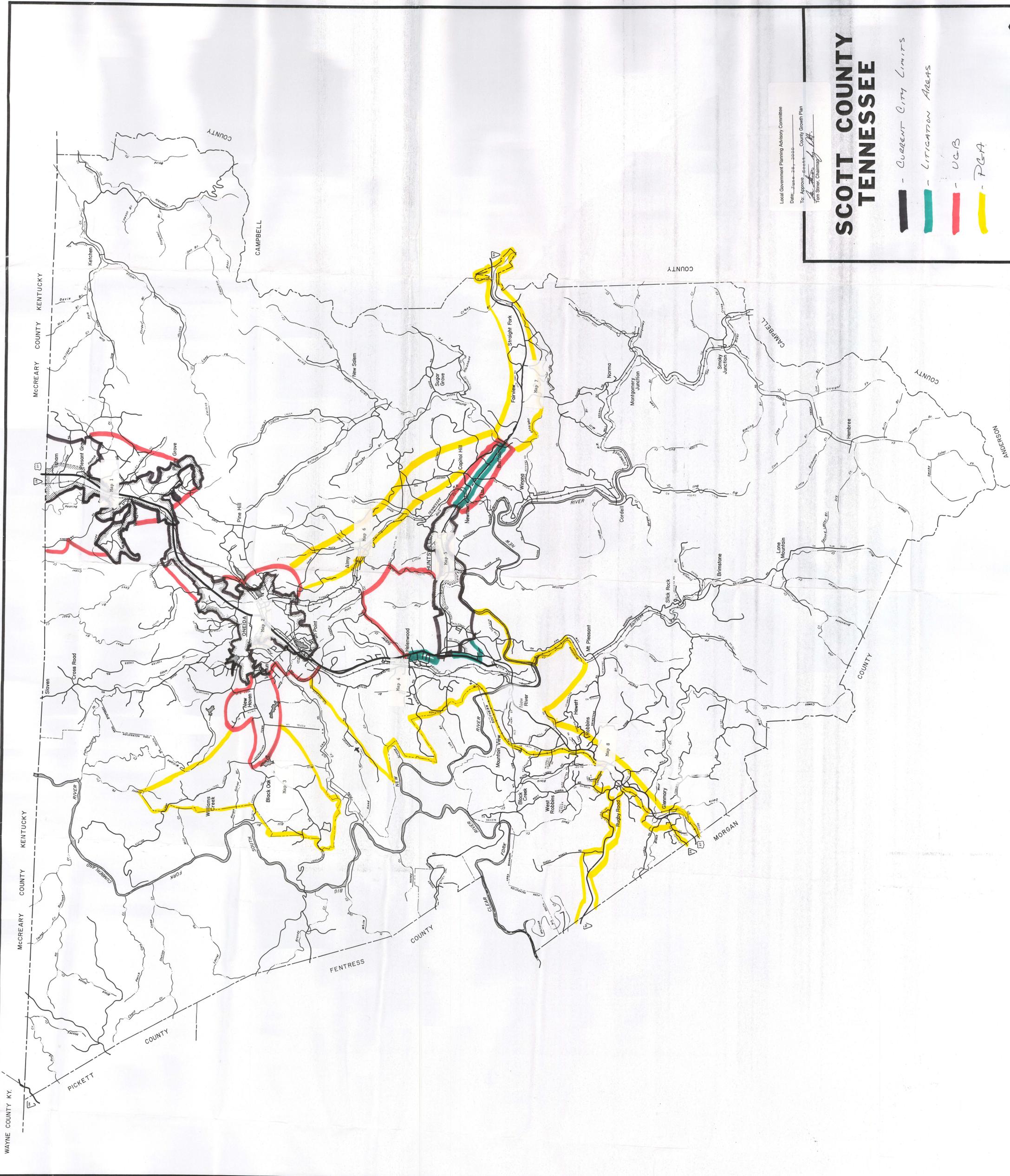
MAP 5

Local Government Planning Advisory Committee  
Date: 1984-11-14  
To: Advisory Section, County Council  
From: Ian Shaw, Chairman

Map 7







Local Government Planning Advisory Committee  
 Date: June 24, 2000  
 To: Approve Scott County Growth Plan  
 Tom Shear, Chairman

# SCOTT COUNTY TENNESSEE

- CURRENT CITY LIMITS
- LITIGATION AREAS
- UGIB
- PGA

BASE MAP PREPARED BY TENNESSEE STATE PLANNING OFFICE



State of Tennessee  
Department of Economic and Community Development

**Local Planning Assistance Office**

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

January 24, 2008

The Honorable Ricky Keeton  
Scott County Mayor  
P.O. Box 180  
Huntsville, Tennessee 37756

Dear Mayor Keeton:

The Local Government Planning Advisory Committee at its meeting on January 23, 2008 amended the Scott County Growth Plan submitted by the Scott 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,

  
Tim Roach  
Director

TR/jw

Enclosures

**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 Scott 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 Scott County Growth Plan is hereby approved and becomes effective this date.

*Jonathan G Baldwin*  
Chair, Local Government Planning Advisory Committee

1-23-08  
Date

1-24-08  
Sticker mailed  
to Scott Co. Mayor  
to affix to the  
Scott Co Map of  
the Amendment.  
*JW*

# Paine, Tarwater, Bickers, and Tillman, LLP

Attorneys at Law

A LIMITED LIABILITY PARTNERSHIP

1100 FIRST TENNESSEE PLAZA

800 SOUTH GAY STREET

KNOXVILLE, TENNESSEE 37929-9703

[www.painetarwater.com](http://www.painetarwater.com)

DWIGHT E. TARWATER\*  
THOMAS A. BICKERS  
ANDREW R. TILLMAN  
WYNNE du M. CAFFEY HALL\*\*  
MATTHEW J. EVANS  
JOHN W. ELDER  
JOSHUA R. WALKER  
DANIEL C. HEADRICK

\*Rule 31 Listed General Civil Mediator  
\*\*Also Licensed in Texas

P. O. BOX 198  
KNOXVILLE, TN 37901  
TELEPHONE  
865/525-0880  
FACSIMILE  
865/521-7441

Of Counsel  
DONALD F. PAINE

December 19, 2007

Timothy Roach, Director of Local Planning  
Department of Economic Community Development  
State of Tennessee  
312 Eighth Avenue, North - 10th Floor  
Nashville, Tennessee 37243

**Re: Growth Plan Dispute between the Town of Huntsville,  
Tennessee  
and Scott County, Tennessee**

Dear Mr. Roach:

It was very pleasant to talk to you Friday of last week to try to sort out what is happening toward finalizing the growth map for Scott County. As you know, the Town of Huntsville declared an impasse when the County Growth Committee approved our map but Scott County disapproved the map. Administrative Law Judge Steve Darnell was able to mediate an agreement between the Town of Huntsville and Scott County. In Judge Darnell's presence, everyone signed the agreed map, including Judge Darnell. I have enclosed a certified copy of the map bearing everyone's signature, including Judge Darnell's. I favored Judge Darnell with a copy of this letter and a certified copy of the map bearing his signature. Feel free to verify with Judge Darnell that I have accurately informed you.

Any uncertainty as to whether or not there is an agreement could be resolved by calling Benji Rector, Register of Deeds of Scott County, telephone (423) 663-2418. I am informed that the Mayor of the Town of Huntsville and the Scott County Mayor have in fact recorded this map with the Register of Deeds. If you are wondering how I am able to send you a map and there is one recorded with the Register of Deeds, on the day of the mediated agreement, two originals were made and signed by all present.

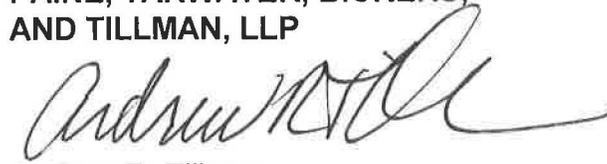
Please let me know if any more is needed to have this registered as the true urban growth map for Scott County. I am informed that the earliest meeting is in January 2008 and the Town of Huntsville would like to see it approved at the

Timothy Roach, Director of Local Planning  
Department of Economic Community Development  
December 19, 2007  
Page 2

January meeting. Thank you for your help in this matter. Also, I take this opportunity to wish you a Merry Christmas and a Happy New Year.

Sincerely,

**PAINE, TARWATER, BICKERS,  
AND TILLMAN, LLP**

A handwritten signature in black ink, appearing to read "Andrew R. Tillman", written in a cursive style.

Andrew R. Tillman

ART:M  
Enclosure

cc: w/enclosure: Judge Steven R. Darnell  
Letter only: George Potter, Mayor Town of Huntsville  
John A. Beaty, Scott County Attorney

# Paine, Tarwater, Bickers, and Tillman, LLP

Dwight E. Tarwater  
Thomas A. Bickers  
Andrew F. Tillman  
Wynne du M. Caffoy Hall  
Matthew J. Evans  
John W. Tilder  
Joshua R. Walker  
Daniel C. Hendrick

Attorneys at Law  
A LIMITED LIABILITY PARTNERSHIP  
1100 FIRST TENNESSEE PLAZA  
800 SOUTH GAY STREET  
KNOXVILLE, TENNESSEE 37929-9703

[www.painetarwater.com](http://www.painetarwater.com)

P. O. BOX 198  
KNOXVILLE, TN 37901

TELEPHONE  
865/525-0880  
FACSIMILE  
865/521-7441  
OF Counsel:  
Donald P. Paine

## FAX TRANSMITTAL COVER SHEET PLEASE DELIVER IMMEDIATELY

**TO:** Timothy Roach, Director of Local Planning **FAX:** (615) 741-0607  
**PHONE:** (615) 741-2211

**FROM:** Andrew R. Tillman, Esq.

**DATE:** 12/27/2007

**PAGES:**

Growth Plan Dispute Between the  
Town of Huntsville, Tennessee &

**RE:** Scott County, Tennessee

**IF YOU HAVE ANY PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CALL: (865) 525-0880.**

**COMMENTS:**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the operator above-mentioned by telephone (collect, if necessary), and return the original message to us at the above address via the U.S. Postal Service. Thank you.

# Paine, Tarwater, Bickers, and Tillman, LLP

Attorneys at Law

A LIMITED LIABILITY PARTNERSHIP

1100 FIRST TENNESSEE PLAZA

800 SOUTH GAY STREET

KNOXVILLE, TENNESSEE 37929-9703

www.painetarwater.com

P. O. BOX 198  
KNOXVILLE, TN 37901  
TELEPHONE  
865/525-0880  
FACSIMILE  
865/521-7441

DWIGHT E. TARWATER\*  
THOMAS A. BICKERS  
ANDREW R. TILLMAN  
WYNNE du M. CAPPY HALL\*\*  
MATTHEW J. EVANS  
JOHN W. ELDER  
JOSHUA R. WALKER  
DANIEL C. HEADRICK

\*Rule 31 Licensed General Civil Mediator  
\*\*Also Licensed in Texas

Of Counsel  
DONALD E. PAINE

December 27, 2007

**VIA FACSIMILE ONLY**

Timothy Roach, Director of Local Planning  
Department of Economic Community Development  
State of Tennessee  
312 Eighth Avenue, North - 10th Floor  
Nashville, Tennessee 37243

Re: **Growth Plan Dispute between the Town of Huntsville,  
Tennessee and Scott County, Tennessee**

Dear Mr. Roach:

I understand you now have the certified copy of the compromise map in your hands. I attach for your consideration a copy of the minutes of meetings by both the Town and the County ratifying the compromise map. Please advise at your earliest convenience whether you will be able to have action on this in January.

Sincerely,

**PAINE, TARWATER, BICKERS,  
AND TILLMAN, LLP**



Andrew R. Tillman

ART:ksb

Attachment

cc: Mayor George Potter (w/out attachment - VIA U.S. MAIL)

**Minutes  
Regular Meeting  
Monday, March 26, 2007**

The Town of Huntsville's Board of Mayor and Aldermen met in regular session at the Huntsville Municipal Building at 3053 Baker Highway, Huntsville, Tennessee on Monday, March 26, 2007 at 7:00 p.m.

Mayor Potter called the meeting to order.

Present were Sharra Crowley, Mark Love, Wes Riggins and Mayor George Potter. Also present were Wendy Buttram, City Recorder and Dean King, Director of Operations for the Town of Huntsville, Tom Bennett of McGill Associates and members of the public.

Motion by Sharra Crowley, second by Mark Love to approve the minutes of the previous meeting of February 26, 2007.

VOTE:        AYE: Crowley, Love, Riggins and Mayor Potter  
              NAY: None

Tom Bennett of McGill Associates presented the board with a revised plan and drawing of the currently funded TEA 21 project at Flat Creek Park. Mr. Bennett advised that the plan presented to the board drawn by the previous architects had been non-compliant by TDOT standards and a new scope and plan had to be developed. He advised that if the new plans were acceptable then the board needed to approve the contract with TDOT and the contract for McGill Associates' services so they could begin working on the project.

Motion by Mark Love, second by Wes Riggins approving the TDOT contract and authorizing Mayor Potter to execute the documents.

VOTE:        AYE: Crowley, Love, Riggins and Mayor Potter  
              NAY: None

Motion by Mark Love, second by Sharra Crowley accepting and authorizing Mayor Potter to execute the contract with McGill Associates.

VOTE:        AYE: Crowley, Love, Riggins and Mayor Potter  
              NAY: None

Mayor Potter advised the board that someone from the Town needed to attend a TDOT Right-of-Way acquisition class in order for the Town to continue to receive funding for projects that involve right-of-way acquisition or easements. Tom Bennett addressed the board and advised that although his firm was well versed in preparing right-of-ways, TDOT now required that someone from each community also receive the training.

Minutes  
March 26, 2007  
Page 2

Motion by Wes Riggins, second by Mark Love approving travel to send someone to the TDOT class in Nashville, Tennessee.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Mayor Potter advised that bids had been received to finance and purchase a right-of-way mower. There was a lengthy discussion about the finance rate and the mower. Citizens Bank had won the finance rate bid with an offer of a five year loan at 4.75%. Plateau Tractor Sales had won the bid with an offer to sale a Massey Ferguson tractor with a mower from Chambers American Products for \$50,991.25.

Motion by Wes Riggins, second by Mark Love to finance \$50,991.25 to finance a mowing tractor at Citizens Bank with a payment of \$956.44 per month for five years.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Motion by Sharra Crowley, second by Wes Riggins to purchase a mowing tractor from Plateau Tractor Sales for \$50,991.25.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Mayor Potter advised that the Town of Huntsville and Scott County had reached an agreement on Huntsville's Urban Growth Boundary Map during mediation on March 22<sup>nd</sup> and that now the map had to be accepted by both boards.

Motion by Wes Riggins, second by Sharra Crowley to accept the new Urban Growth Boundary Map.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Mayor Potter advised he would like to accept bids to pave Scott High Drive and Baker Street with work to begin sometime in June.

Motion by Mark Love, second by Sharra Crowley authorizing Mayor Potter to accept bids to pave Scott High Drive and Baker Street.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Mayor Potter advised that instead of donating \$250.00 to the Relay for Life this year he would like to make the donation to Tennessee Plateau Oncology, the cancer center in Huntsville, with funds be used to help with the treatment of local citizens.

Minutes  
March 26, 2007  
Page 3

Motion by Mark Love, second by Wes Riggins to donate \$250.00 to the Tennessee Plateau Oncology with the funds being used to help with the treatment of local citizens.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Mayor Potter called for comments from the public and none were heard.

Mark Love asked Director of Operations, Dean King, to update the board on the progress of the boat ramp at New River. Mr. King advised that David Young of the TWRA had advised that the environmental and historical letters were coming in, but that there were approximately six agencies that had to approve the project. However, Mr. Young was confident that the project was still on schedule and the Town hoped to begin work this fall.

Mayor Potter encouraged all citizens to take pride in their property and keep it cleaned up and help improve the appearance of the Town of Huntsville.

Motion to adjourn by Mark Love, second by Sharra Crowley.

VOTE: AYE: Crowley, Love, Riggins and Mayor Potter  
NAY: None

Meeting adjourned.

  
Wendy Buttram, City Recorder

  
George Potter, Mayor

REGULAR SESSION

APRIL TERM

2007

April 16, 2007

RESOLUTION # 10

RESOLUTION NO. 10

WHEREAS, Scott County, Tennessee, has been in dispute with the Town of Huntsville, Tennessee with regard to a proposed expansion of the Town's urban growth boundary; and

WHEREAS, in accordance with T.C.A. §6-58-104 (b), representatives of the County and the Town participated in a mediation of that dispute on March 22, 2007, in effort to reach a plan of compromise; and

WHEREAS, after approximately 6 hours of mediation, the parties tentatively reached a plan of compromise which would grant the Town some expansion of its growth boundary but not to the extent that it originally sought; and

WHEREAS, the plan of compromise, as proposed by the representatives of the County and the Town, needs to be approved by the full boards of each government.

NOW THEREFORE, BE IT RESOLVED that the Scott County Board of County Commissioners hereby approves the plan of compromise as presented by the representatives of Scott County, Tennessee, and the Town of Huntsville.

Adopted this 16th day of April, 2007.

*Rick A. Keeton*  
Rick A. Keeton  
Scott County Mayor

ATTESTED:

*Patricia A. Phillips*  
Patricia Phillips  
Scott County Clerk

Motion by Blevins, seconded by Zachary, to approve the above Resolution as presented.

Voting AYE: Blevins, Boyatt, Byrd, Cross, Garrett, Newport, Phillip, Sloman, Strunk, Watson, Zachary.

Voting NAY: Bertram, Reed, Sexton.

ABSENT: NONE

Motion Carried.

STATE OF TENNESSEE  
SCOTT COUNTY

I, Patricia A. Phillips, County Clerk do hereby certify that the foregoing COPY is a full, true and perfect copy of the original

as same appears of record now on file in my office.

Witness my hand and official seal, at office in Huntsville, Tenn. this the 5th

day of December 2007

*Patricia A. Phillips*  
County Clerk

3-22-07

St. Albans

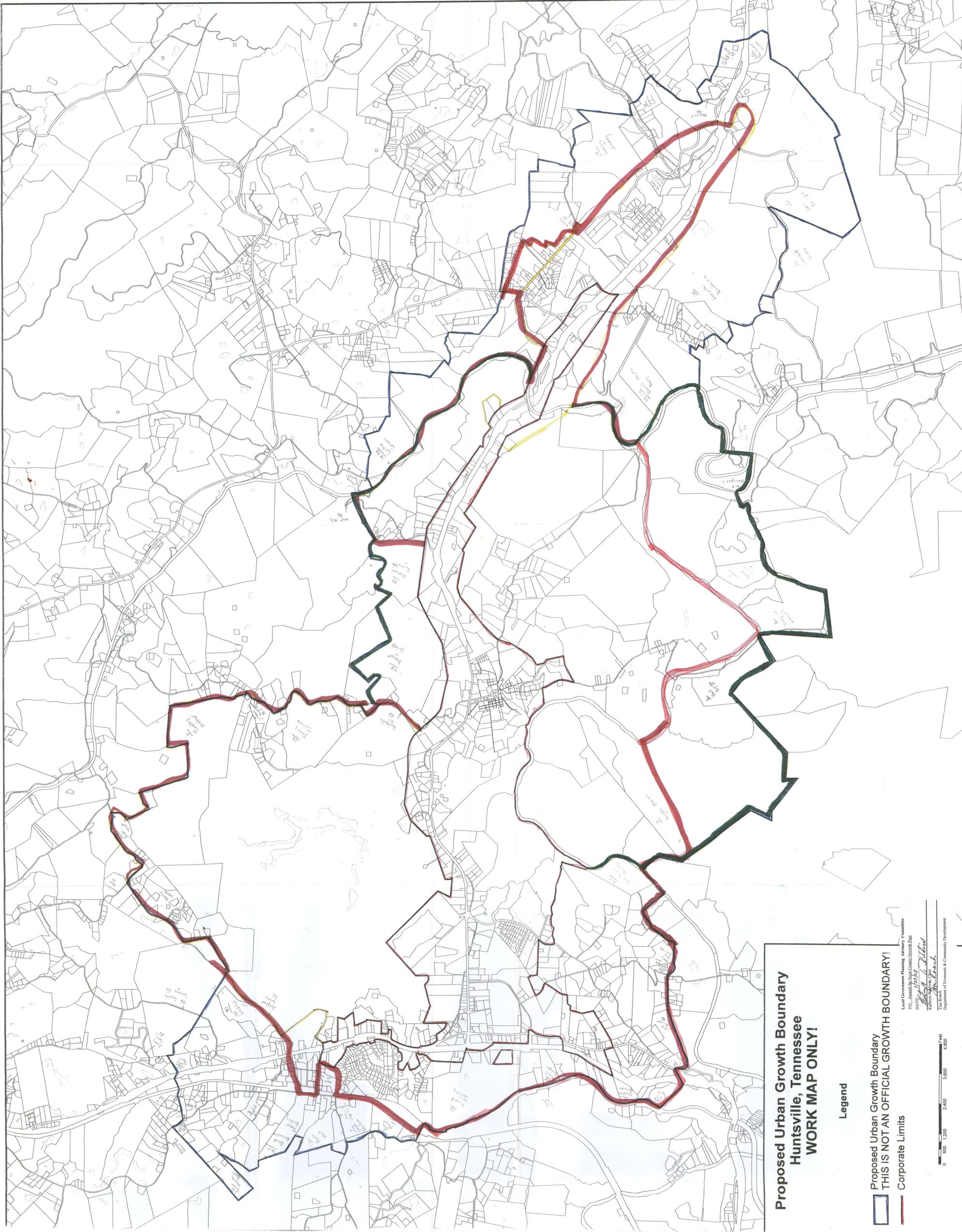
3/22/07

George W. Patten Mayor 3/22/07

Director of Operations

Richy G. Patten 3/22/07

State of Tennessee  
Town of Huntsville  
I, [Name], [Title], City Records do hereby  
certify that the foregoing copy is a true and  
correct copy of the original as it may  
appear. I have received and official seal of  
this office.  
[Signature]



**Proposed Urban Growth Boundary  
Huntsville, Tennessee  
WORK MAP ONLY!**

**Legend**

-  Proposed Urban Growth Boundary
-  Corporate Limits

**THIS IS NOT AN OFFICIAL GROWTH BOUNDARY!**

Local Government Planning Advisory Committee  
TO: Amend the 2001 Comprehensive Growth Plan  
DATE: 1/23/07  
[Signature]  
[Signature]  
Department of Economic & Community Development  
Tim Rouse

