

COUNTY COMMISSION MEETING

FEBRUARY 6, 1995

CALL TO ORDER (Call to Order, Roll Call, Invocation)

READING AND ACCEPTANCE OF MINUTES (November 21, 1994 and  
January 6, 1995)

1. Students entertain from Eaton's Elem.
2. Visitors address Commission (Barge Terminal
3. Item withdrawn on Old Eaton's Gym
4. Old National Guard Armory Discussion deferred to Workshop.
5. Change on date of March County Commission Meeting.
6. Appointments to Board of Zoning Appeals
7. Appointment to Executive Planning Council
8. Motion to table Industrial Bond Board appointment
9. Planning Commission requested to study problem at Blackberry Landing Subdivision and study building codes for unincorporated areas of the County.
10. Committee report on Building Commissioner deferred to Workshop.
11. Commissioner Bivens speaks on Ethics and Accountability.
12. Budget Report--Nancy Richesin
13. Attorney Sproul's report
14. Building Commissioner's report
15. Planning and Comm. Dev.--Pat Phillips report
16. Road Commissioner's report
17. Purchasing Director's report (tele. equip--Justice Center, copier for Circuit Court Clerk's office)
18. Industrial Rec. report--Barge Terminal proposal and approval.
19. Commissioners Bivens and Randolph depart meeting
20. Bond approvals
21. Notary approvals
22. Adjournment

PUBLIC HEARING

COUNTY COMMISSION MEETING

FEBRUARY 6, 1995

Be it remembered that the Loudon County Legislative Body met in regular session, at the Loudon County Courthouse, on February 6 1995, with the Chairman, Roy Bledsoe presiding, County Court Clerk, Riley D. Wampler, and Loudon County Executive, George M. Miller were present whereupon Sheriff Tim Guider opened court, led the Pledge of Allegiance to the Flag, and presented Mr. Gary Amos who gave the Invocation.

On Roll Call the following Commissioners were present:

Bledsoe	Ledbetter	Park
Bivens	Maples	Duff
Randolph	Masingo	Twiggs

Chairman Bledsoe, asked that the County Commission minutes of November 21, 1994 which were approved at the at the December meeting, but inadvertently omitted from the minutes of that meeting, be corrected to show that these were approved. Commissioner Park made the motion that the minutes be approved and the motion include approval of minutes of January 6, 1994 also. Commissioner Twiggs seconded the motion. All voted in favor, and Chairman Bledsoe announced the motion passed.

(1.)  
Eaton  
Elem.  
Entert.

Chairman Bledsoe then presented Commissioner Duff, who introduced Mr. Larry Duff, principal at Eaton's Elementary School. Mr. Duff presented Kindergarten students and teachers. They entertained the Court and visitors with their program on Friendship.

(2.)  
Citizens  
speak on  
proposed  
barge  
terminal

Chairman Bledsoe then asked if anyone wished to speak on any item on the Agenda. These visitors came forward to speak on this item on the agenda addressing the proposed barge terminal: Loudon County Industrial Developer-Doug Berry: Consideration of request by C. Reed Davis, Contractors, Loudon County Terminals to lease with an option to purchase 22 acres fronting the Tennessee River Mile 590.2, right bank (Watts Bar Lake) within the at the down river portion of Harrison/Blair Island in the Sugarlimb Industrial Park, adjacent to Kimberly-Clark and Malibu Boats, for the development of a general commodity terminal project."

Mr. Rolf Randby, noted how traffic has increased on Hwy. 11, the last few years. He also asks that Commission have a long range plan for development.

Mr. John Easter, spoke and asked all those present who were against the barge terminal to stand. He is concerned about noise level, actual profit to County, noise level of unloading of barges at night. Mr. Easter notes cost of project.

Mr. Spencer Watkins, spoke of his concerns for the river and the fishing in the river and thinks the Barge Terminal will harm the wildlife.

Mr. Larry Bandy, is concerned about damage to wildlife in, and on the river.

Ms. Nancy Simpson, registered nurse, stated health concerns for Loudon County and is concerned about pollution of area. She is concerned that the river in Loudon is being "lined" with industry, and she would like to be on record to say she disapproves.

Mr. Arthur Kelso, also spoke to the Commission about damage to the river and wildlife. He asks Commission to think about this and how it will effect the future.

Mr. Bob Seward, is worried about Barge Terminal, and is concerned about nuclear wastes being transported and processed at the

terminal.

Mr. Lewis Garner, states he is concerned about the type of industry that the County is attracting and also about wildlife in river.

Dr. Bud Guider, local Pediatrician, is also concerned about health issues, and states that only 15% of the industry would use the barge terminal. he states that respiratory illness has also increased the past few years. He thinks that citizens deserve a chance to be heard, when they are concerned over issues. He is also concerned that more public officials did not attend the public hearing on the barge terminal. He would like to appeal to Commissioners to know the facts before they vote on the issues. He would like the Commission to set environmental guidelines for industry.

Mr. Bill Baker, is concerned about land investment for Loudon County and the return that is expected by the barge terminal and future use of the facility.

Mr. Ray Hatmaker, resident of river, he is not in favor of barge terminal because he is concerned about further industry on river, due to pollution.

Ms. Beth Brakebill, brought her daughter before the Commission to speak about industrialation of Loudon County, health concerns, and obtaining better industry with more white collar jobs.

(3.)  
Item  
withdrawn-  
Old Eaton  
Gym

Chairman Bledsoe presented Mr. George Miller, County Executive. Mr. Miller stated that he would like his first item on the agenda, (Consideration of Resolution-Old Eaton's Gym), to be withdrawn at this time (at the wish of Commissioner Duff who originally made the motion) and be deferred to a later date.

(4.)  
Old Nat.  
Guard Ary.  
Deferred  
to W.S.

Also on the agenda (Consideration of Resolution--Old National Guard Armory Property), Mr. Miller requested that it be withdrawn, and be discussed at the Commissioner's workshop.

(5.)  
Date Chg.  
March  
Co. Comm.

Item three, was "possible time change --County Commission Meeting of March 6, 1995". Due to a conflict of County Government Day, scheduled for the 6th and 7th in Nashville, Commissioner Park made the motion that it be rescheduled for March 13, 1995 at 7:00 P.M. The motion was seconded by Commissioner Twiggs. On voice vote, all voted in favor. Chairman Bledsoe announced that the motion passed.

(6.)  
Appt. to  
Board of  
Zoning  
Appeals

Consideration of appointment--Board of Zoning Appeals: Mr. Pat Phillips, Director of Planning and Community Development, was asked to present this appointment for consideration. Several of the Commissioners asked that the Commission be notified when appointments are open. After some discussion, Commissioner Twiggs made the motion to approve the appointments with Commissioner Park seconding the motion. On voice vote all voted yes, with the exception of Commissioner Maples who voted no. Motion carried. Hereby attached as Resolution            Exhibit           .

(7.)  
Appt. to  
Executive  
Planning  
Council

Consideration of appointment of Commissioner Twiggs to serve on the Executive Planning Council. Commissioner Ledbetter made the motion that he be appointed with Commissioner Randolph seconding the motion. On voice vote, all voted in favor. Resolution attached as #            Exhibit           .

(8.)  
Motion  
tabled-  
Ind. Bond  
Board

Consideration of appointment to Industrial Bond Board of Loudon County, this motion was made by Commissioner Park and seconded by Commissioner Dyff. Commissioner Twiggs then made the motion that the appointment selections be tabled and this was seconded by Commissioner Randolph. The results of a roll call vote to table the motion were:

Randolph	yes	Masingo	yes	Duff	no
Bivens	yes	Bledsoe	yes	Park	no
Ledbetter	yes	Maples	yes	Twiggs	yes

Motion to table passed--yes 7: no 2  
Park then made the motion to withdraw his motion, and  
Commissioner Duff withdrew his second.

(9.)  
Plan. Comm  
req. to  
study prob.  
at B. B.  
Landing  
Sub. and  
address  
Bld. Codes  
for  
unincorp.  
areas

Commissioner Twiggs presented Mr. Paul Rudder, a representative from Blackberry Landing Subdivision. He requested that Commission address a continuing problem that in their subdivision that involves soil and debris flooding onto the road, and creating an unsafe driving situation. The owners will not take action, and he asked the County Commission to request that the Planning Commission address the situation. Commissioner Twiggs made the motion that the Planning Commission address this problem with Commissioner Duff seconding the motion. All voted in favor.

Commissioner Twiggs made the motion the Commission request the Planning Commission to also address building codes situation that exists in the County. He would like for the Planning Commission to study building codes and bring back such recommendations for unincorporated areas of the County. Commissioner Randolph seconded the motion which passed on voice vote.

(10.)  
Bld. Comm.  
Comm. rep.  
def. to  
workshop

Commissioner Twiggs reported that the had Committee appointed, had met concerning the recommendations for the Building Commissioner's office and supervision, at which time Commissioner Park requested that the report be discussed at the next Workshop session.

(11.)  
Comm: Biv.  
Eth. &  
Acc.

Commissioner Bivens spoke concerning the "Ethics and Accountability" topic she asked to be placed on the agenda. After much discussion the motion to strike all Commissioner Bivens comments was made by Commissioner Twiggs, and was seconded by Commissioner Duff. Motion passed by voice vote.

(12.)  
Budget Rep.

Nancy Richeson, Director of Budget and Accounts, stated that she will discuss any items relevant with the Commissioners at the next scheduled Workshop.

(13.)  
Atty. Sproul  
Report

Attorney Sproul, noted several issues he felt needed clarification, but after discussing them with the Commissioners, he determined that those matters had been sufficiently addressed by the Commission.

(14.)  
Bld. Comm.  
Report

Doug Lawrence, Loudon County Building Commissioner's report:  
Permits 42 Fees \$3,235.00  
Est. Value \$1,989,100.00 Taxes \$12,430.00

(15.)  
P. Phillips  
Report

Patrick Phillips, Office of Planning and Community Dev., had no report.

(16.)  
R. C. Rep

Don Palmer, Road Commissioner, stated he had no report.

(17.)  
Purch. Dir  
Report &  
Req.

Howard Luttrell, Direct of Main. and Purchasing Agent, stated that he it was his belief the County Commission has previously approved the expenditure of \$13,600.00, for telephone answering equipment for the Justice Center. Nancy Richesin, Director of Budget and Accounts, stated that, "at this time (until the 1995 County Budget is passed), only a "Motion of Intent" can be approved". Commissioner Randolph made the motion to approve a Motion of Intent for this amount, with Commissioner Park seconding the motion. On roll call vote, the results being:

Randolph	yes	Masingo	yes	Park	yes
Ledbetter	yes	Bivens	pass	Duff	yes
Bledsoe	yes	Maples	yes	Twiggs	no

Chairman Bledsoe announced the vote passed: 7--yes,1--no,1-pass

He also had a request from the Circuit Court Clerks Office, requesting to lease a of copier 60 month, at the cost of \$114.90

Maples, with Commissioner Twiggs seconding the motion. The results of a voice vote--all in favor. Chairman Bledsoe announced the motion carried.

(18.)  
Barge  
Terminal  
proposal  
and  
approval

Mr. Doug Berry, Industrial Developer, addressed the Commission with a review from the Blair Bend Industrial Committee, and also a proposal from C. Reed Davis Contractors, on the terms of certain properties at Sugar Limb Industrial Park. He read from the material the following information and cited terms of the agreement which included: a five year lease, and a provision that should C. Reed Davis not exercise their option to purchase at the conclusion of the 5 year lease agreement the County will not assume any responsibility for improvements to the property. They will however assist C. Reed Davis in trying to place a new purchaser on the land, but C. Reed Davis has the option of removing all structures. The specifics of the lease are for a 5 year term, years 1-3 are \$50.00 per acre plus \$1.50 per linear per ft. of river frontage (which is 2100 linear feet of river frontage). Year 4-5: \$100.00 per acre, plus \$1.50 per liner foot of river frontage. The specific rates have been negotiated and were originally set by the Committee. They were specifically used to the knowledge of the Committee in developing the cost guidelines of the property to a buildable position (what is required to remove it from the flowage easement, requirements for minimal flood elevations to make that site meet the TVA building requirements). It also factors costs associated with meeting all archaeological clearances required and mandated under federal law for this industrial park. Those estimates (at this point in time) due to the engineering analysis of the curve as well as the archaeological investigations to date (including proposals that are based through mitigation). The County should receive essentially \$325,000. (approximately \$14,000. per acre of expenditure on part of the contractor to be in a position to begin building on the property). The figures are benefits in the event that he (C. Reed Davis) decides not to purchase the property, after five years, and Loudon County retains the property. C. Reed Davis has also requested to be allowed to borrow materials from other sites within the industrial park, and he requested first refusal for those parcels on which he did specific soil removal work (that is, at this time, an approved item for the industrial park committee) and one additional issue to add:

If another party expresses an interest in purchasing the additional land it is the right of C. Reed Davis to have first refusal on this property, and any subsequent improvements must have prior approval of County Commission. Basic commodities to be handled at the facility shall be limited to:

- \*Flat and rolled steel products
- \*Prepackaged products
- \*Grain and feed products (not including wet feed.)
- \*Containers
- \*Finished lumber products
- \*Iron and other ores
- \*Aluminum and aluminum products
- \*Limestone
- \*Coal

Items not to be handled:

- \*Liquid commodities
- \*Petroleum or petroleum products
- \*Wood chips
- \*Logs
- \*Fertilizers
- \*Salts
- \*Municipal or industrial solid waste (including compost or sludge).
- \*Hazardous wastes (as defined by the E.P.A.)
- \*Tires or used tire products

In addition, the proposed terminal will not conduct any repairs or maintenance of barges at the proposed site. The operator will be prohibited from handling any materials or products that are contaminated by nuclear or radioactive wastes, nor will the terminal operator be permitted to transport, handle, or store radioactive and/or nuclear wastes. Prohibited commodities will be excluded from transport, handling, and storage by specific reference in the lease during the lease term of the project. Upon purchase of the proposed site, all commodities that are excluded during the lease will be carried over as a permanent deed restriction on the property. Before any amendments to the deed restriction on the subject property can occur, the proposed amendment must be approved by both the Loudon County Commission and the City of Loudon (after a public notice period and public hearing have been conducted). The proposal condition above as to the handling of commodities will be negotiated elements to the agreement and permanent deed restriction, and should any of those conditions be violated, Loudon County reserves the right to purchase the property back at the original purchase price. Commissioner Park proposed that the Commission approve the proposal as outlined by Industrial Recruiter Doug Berry. Commissioner Twiggs seconded the motion. After much discussion, a roll call vote was taken:

Bivens	no	Maples	yes	Park	yes
Bledsoe	no	Masingo	yes	Duff	yes
Randolph	no	Ledbetter	yes	Twiggs	yes

Results of the roll call vote were announced by Chairman Bledsoe: 6-yes, 3-no. Motion carried. Attachments \_\_\_\_\_

(19.)

C. Bivens & Randolph Depart

Commissioners Bivens and Randolph left the meeting after the result of the above vote was announced.

(20.)

Bond App.

Bond that were presented for approval:

Catherine J. Akins

Commissioner Masingo Made the motion that this be approved with Commissioner Park seconding the motion. Results of voice vote, all in favor.

(21.)

Notary App.

Notaries-at-Large, Motion made by Commissioner Masingo: Seconded by Commissioner Maples, The names were:

Debbie Foster	Brenda Bowers	Patricia T. Clark
Catherine J. Akins	K. Rene' Anderson	Teresa G. Lewis
Charlotte Lawson	Terry C. McGill	William T. Custead

On voice vote, the motion was approved.

(22.)

Motion to Adjourn

Motion made by Commissioner Park to adjourn at 9:50, seconded by Commissioner Duff. Chairman Bledsoe announced the meeting adjourned.

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
County Court Clerk

LOUDON COUNTY COMMISSION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE  
APPOINTMENT BY COUNTY EXECUTIVE

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Executive has authority to make certain committee and board appointments; and

WHEREAS, an appointment (or appointments) is necessary and/or desirable at this time; and

WHEREAS, the County Executive appoints the following as a member of:

LOUDON COUNTY BOARD OF ZONING APPEALS

(Name of Committee or Board)

<u>Appointee</u>	<u>Term Expiration</u>
<u>Glenn Luttrell</u>	<u>6-30-96</u>
<u>Charles Harrison</u>	<u>6-30-97</u>
<u>James Wiggins</u>	<u>6-30-98</u>
<u>Bill Wolfe (Coterm.LCRPC)</u>	<u>6-30-98</u>
<u>John Carnes (Coterm.LRPC)</u>	<u>6-3-95</u>

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 6th day of February, 1995 hereby approves or acknowledges (as appropriate), the said appointment(s).

\_\_\_\_\_  
COUNTY CHAIRMAN

ATTEST:

APPROVED:

\_\_\_\_\_  
COUNTY CLERK

\_\_\_\_\_  
COUNTY EXECUTIVE

The remaining members and their continuing expiration terms for said board or committee are as follows:

<u>Appointee</u>	<u>Term Expiration</u>
<u>none</u>	_____

LOUDON COUNTY COMMISSION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE APPOINTMENT BY COUNTY EXECUTIVE

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Executive has authority to make certain committee and board appointments; and

WHEREAS, an appointment (or appointments) is necessary and/or desirable at this time; and

WHEREAS, the County Executive appoints the following as a member of:

LOUDON COUNTY EXECUTIVE PLANNING COUNCIL

(Name of Committee or Board)

Appointee	Term Expiration
<u>David Twiggs</u> (Replacing Lynn Millsaps)	<u>12-01-97</u>

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 6th day of February, 1995 hereby approves or acknowledges (as appropriate), the said appointment(s).

\_\_\_\_\_  
COUNTY CHAIRMAN

ATTEST:

APPROVED:

\_\_\_\_\_  
COUNTY CLERK

\_\_\_\_\_  
COUNTY EXECUTIVE

The remaining members and their continuing expiration terms for said board or committee are as follows:

<u>Appointee</u>	<u>Term Expiration</u>
<u>John Cobb</u>	<u>12-01-97</u>
<u>Jim Pope</u>	<u>12-01-97</u>
<u>I.D. Conner</u>	<u>12-01-97</u>
<u>Glenn Luttrell</u>	<u>12-01-97</u>
<u>John Carnes</u>	<u>12-01-97</u>
<u>Bill Wolfe</u>	<u>12-01-97</u>



LOUDON COUNTY  
INDUSTRIAL COMMITTEE  
OF 100

P.O. BOX 909, LOUDON, TN 37774 • 615-458-2067  
615-458-2068  
FAX 615-458-1206

October 20, 1993

Mr. C. Reed Davis  
C. Reed Davis Contractors, Inc.  
P. O. Box 3184  
Knoxville, TN 37815-3184

Dear Mr. Davis:

I am pleased to inform you that the Industrial Park Review Committee/Blair Bend Industrial Park Committee has completed its consideration of your request to develop a river terminal facility with warehousing in the Sugarlimb Industrial Park. The committee is prepared to recommend to the City of Loudon and Loudon County (Owners) that approximately 22 acres (the remaining portions of tracts G and H as shown on the Sugarlimb Industrial Park Illustrative Master Plan) along the Tennessee River in the Sugarlimb Industrial Park be leased with an option to purchase to C. Reed Davis Contractors/ Loudon County Terminals for the construction and operation of the proposed terminal. The general terms of the lease are as follows:

Lease Term: Five (5) years.

Annual Lease Rate: Years 1-3: \$50.00 per acre plus \$1.50 per linear foot of river frontage.  
Years 4-5: \$100.00 per acre plus \$1.50 per linear foot of river frontage.

Option to Purchase: C. Reed Davis Contractors/Loudon County Terminals shall have the right to purchase at any time during the term of the lease all or a portion of tracts G and H at a price of \$15,000.00 per acre.

In addition, C. Reed Davis Contractors/Loudon County Terminals will have the right of first refusal on tracts F, M, and I during the term of the lease/option to purchase agreement on portions of tracts G and H. The market value of tracts F, M, and I will be determined by MAI certified appraisal at the time of sale. The sale of all or portions of tracts F, M, and I to C. Reed Davis Contractors/Loudon County Terminals will require a commitment at the time of closing to construct facilities within one year

Mr. C. Reed Davis  
October 20, 1993  
Page 2

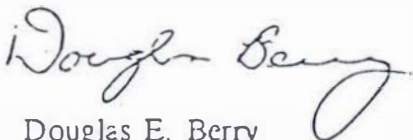
of the purchase date or Loudon County and the City of Loudon will have the irrevocable right to repurchase the tract at the original purchase price.

C. Reed Davis Contractors/Loudon County Terminals will be granted a construction easement on tracts F, M, and I for the purpose of taking fill material for the development of the river terminal. Finished grade elevations will be subject to the approval of the Loudon County Industrial Committee and its engineering consultant.

The Industrial Park Review Committee/Blair Bend Industrial Committee will retain design approval on all aesthetic and/or environmental aspects of the terminal facility's development. All outside storage during the operation of the terminal facility will have to be approved by the Loudon County Industrial Committee, and Malibu Boats, Inc. will be granted an irrevocable right to develop lake access on the down river portion of the terminal facility.

If you have any questions or if I can assist you in any way, please contact me at 458-2067.

Sincerely,



Douglas E. Berry  
President

LOUDON COUNTY  
INDUSTRIAL COMMITTEE  
OF 100

P.O. BOX 909, LOUDON, TN 37774 • 615-458-2067  
615-458-2068  
FAX 615-458-1206

November 16, 1993

Mr. C. Reed Davis  
C. Reed Davis Contractors, Inc.  
P.O. Box 3184  
Knoxville, TN 37815-3184

Dear Mr. Davis:

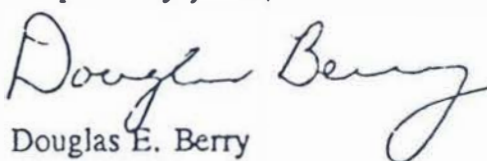
As a result of a recent telephone conversation with Mr. Robert L. Cockrel of Loudon County Terminals, I am writing you to clarify a couple of issues related to our proposed lease/purchase agreement for 22 acres in the Sugarlimb Industrial Park.

After thorough consideration of your proposal, the Industrial Park Review Committee determined that it is not in the community's best interest to enter into a lease for a period of more than 5 years. As a result, there are no provisions for any extensions of the lease beyond the initial 5 year term. If Loudon County Terminals wishes to continue operations beyond year 5 of the lease, then they will be obligated to purchase the property from the City of Loudon and Loudon County.

In the event Loudon County Terminals ceases operations prior to or at the end of the 5 year lease, the City of Loudon and Loudon County does not currently intend to purchase on-site improvements. However, the community will assist Loudon County Terminals in identifying potential purchasers. If no other purchasers are identified, then it will be the responsibility of Loudon County Terminals/C. Reed Davis Contractors to remove all on-site structures within a reasonable period of time.

If you have any questions or if I can assist you in any way, please feel free to contact me.

Respectfully yours,

  
Douglas E. Berry

A public meeting will be held on January 10, 1995 in the boardroom of the Loudon County Office Building, 100 River Road, Loudon, Tennessee, between the hours of 5:00 and 8:00 p.m.. The purpose of the meeting is to solicit comments from the public and other interested parties in order to consider and evaluate the impacts of a proposed public barge terminal facility on the community and its environs. Any comments received will be considered by the County of Loudon, the City of Loudon, the Loudon County Industrial Committee, and the proposed operator prior to any local approvals of the proposed public barge terminal facility.

**LOCATION:** Tennessee River Mile 590.2, Right Bank (Watts Bar Lake) within the Sugarlimb Industrial Park in Loudon, Tennessee.

**DESCRIPTION:** The proposed work consists of the construction of a public barge terminal at the subject location in two phases. The facilities would ultimately consist of eight 16-foot diameter mooring cells or equivalent cluster pile moorings, one 20-foot diameter mooring cell and two reinforced concrete loading/off-loading platforms. The cells and loading platforms would be constructed with a top elevation of 760.0 and would extend out into the river approximately 60 feet from the normal summer pool Elevation 741.0. The cells would be spaced 195 feet center-to-center for a total distance of 2,100 feet. Upland facilities at the site would consist of 60,000 square feet of dry storage, 10 acres of flat storage and 2,200 linear feet of on-site rail siding. The design of the facility would allow direct transfer from barge to rail/truck or rail/truck to barge. Phase One of the project would begin with site preparation, requiring an estimated 200,000 cubic yards of fill on the upland area of the proposed project. Physical structures planned for the first phase are one 105-foot work platform with three each 16-foot mooring cells upstream and downstream from the work platform. 1,100 feet of railroad track would be laid to connect the terminal with the existing Norfolk Southern rail yard, and a 30,000 square foot climatic controlled warehouse would also be constructed. All outside flat areas, except that used for the entrance road and landscaping would be covered with limestone rock for drainage and vegetation control. Trees and shrubs would be utilized along with existing vegetation to create visual breaks from adjoining or across river properties and to aesthetically blend buildings and structures with the surrounding area.

Basic commodities to be handled at the facility shall be limited to flat and rolled steel products, prepackaged products, grain, animal feed products (not including wet feeds), containers, finished lumber products, iron and other ores, minerals, alumina, aluminum and aluminum products, limestone, and coal. No liquid commodities (including petroleum products), wood chips, logs, fertilizers, salts, municipal or industrial solid wastes (including compost or sludge), or hazardous wastes as defined by the United States Environmental Protection Agency will be permitted for transport, handling, or storage at the proposed site. In addition, the proposed terminal will not conduct any repair and maintenance of barges at the proposed site.

Additional information on the proposed public barge terminal facility will be available to the general public from December 27 until the time of meeting at the following locations between 9:00 a.m. and 4:00 p.m., Monday through Friday (except legal holidays): Office of the Loudon County Executive, 100 River Road, Loudon, Tennessee; Loudon City Hall, 201 Alma Place, Loudon, Tennessee; Loudon County Office of Planning and Community Development, 274 Blair Bend Drive, Loudon, Tennessee.

Written statements received on or before January 20, 1995, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to Ms. Anne B. Haston, Barge Waggoner Sumner and Cannon, Inc., Plaza Tower, Suite 2400, Knoxville, Tennessee 37929.

The Blair Bend/Industrial Park Review Committee recommended to the Loudon County Commission the approval of the following project:

**LOCATION:** Tennessee River Mile 590.2, Right Bank (Watts Bar Lake) within the Sugarlimb Industrial Park in Loudon, Tennessee.

**DESCRIPTION:** The proposed work consists of the construction of a public barge terminal at the subject location in two phases. The facilities would ultimately consist of eight 16-foot diameter mooring cells or equivalent cluster pile moorings, one 20-foot diameter mooring cell and two reinforced concrete loading/off-loading platforms. The cells and loading platforms would be constructed with a top elevation of 760.0 and would extend out into the river approximately 60 feet from the normal summer pool Elevation 741.0. The cells would be spaced 195 feet center-to-center for a total distance of 2,100 feet. Upland facilities at the site would consist of 60,000 square feet of dry storage, 10 acres of flat storage and 2,200 linear feet of on-site rail siding. The design of the facility would allow direct transfer from barge to rail/truck or rail/truck to barge. Phase One of the project would begin with site preparation, requiring an estimated 200,000 cubic yards of fill on the upland area of the proposed project. Physical structures planned for the first phase are one 105-foot work platform with three each 16-foot mooring cells upstream and downstream from the work platform. 1,100 feet of railroad track would be laid to connect the terminal with the existing Norfolk Southern rail yard, and a 30,000 square foot climatic controlled warehouse would also be constructed. All outside flat areas, except that used for the entrance road and landscaping would be covered with limestone rock for drainage and vegetation control. Trees and shrubs would be utilized along with existing vegetation to create visual breaks from adjoining or across river properties and to aesthetically blend buildings and structures with the surrounding area.

Basic commodities to be handled at the facility shall be limited to flat and rolled steel products, prepackaged products, grain, animal feed products (not including wet feeds), containers, finished lumber products, iron and other ores, minerals, alumina, aluminum and aluminum products, limestone, and coal. No liquid commodities (including petroleum products), scrap tires, wood chips, logs, fertilizers, salts, municipal or industrial solid wastes (including compost or sludge), or hazardous wastes as defined by the United States Environmental Protection Agency will be permitted for transport, handling, or storage at the proposed site. In addition, the proposed terminal will not conduct any repair and maintenance of barges at the proposed site, and the operator will be prohibited from handling any materials or products that are contaminated by nuclear or radioactive wastes nor will the terminal operator be permitted to transport, handle, or store radioactive and/or nuclear wastes.

Prohibited commodities will be excluded from transport, handling, and storage by specific reference in the lease during the lease term of the project. Upon purchase of

the proposed site, all commodities that are excluded during the lease will be carried over as a permanent deed restriction on the property. Before any amendments to the deed restrictions on the subject property can occur, the proposed amendment will have to be approved by both the Loudon County Commission and the City of Loudon after a public notice period and public hearing have been conducted.

Lease Term: Five (5) years.

Annual Lease Rate: Years 1-3: \$50.00 per acre plus \$1.50 per linear foot of river frontage.

Years 4-5: \$100.00 per acre plus \$1.50 per linear foot of river frontage.

Option to Purchase: C. Reed Davis Contractors/Loudon County Terminals shall have the right to purchase at any time during the term of the lease all or a portion of tracts G and H (approximately 22 acres) at a price of \$15,000.00 per acre.