11 01-15, TMA TVA Committee Report for Jan-Feb TMA Newsletter
Prepared by Comm Mbr Bob McMahan

The writer of this report provided the last report at the November Conference and Board Meeting. I won't back into that Report but I will mention that it is available in a Word Doc file for anybody that would like to request a copy via email to bmcmahan@erwinmarinesales.com.

Following are previously unreported actions that are a result of continuing dialogue with TVA by the TMA TVA Committee.

1. The TVA Board has now passed authority to the TVA President /CEO to approve Leases and Easements. This is a positive step that will speed up the approval process by taking the bi-monthly TVA Board Meeting and TVA Executive Committee preparation for that Meeting out of the process.

2. Mitch Jones, TMA VP and Immediate Past President will be appointed to the TVA Resource Stewardship Council at their forth coming Meeting in Chattanooga, TN scheduled for January 19-20, 2011. This link will take you to a newspaper announcement of the Meeting. http://chattanoogan.com/articles/article_192180.asp This opportunity for TMA is a definitive result from this past two years involvement by this Committee of TMA Board Members in the TVA's 26A process for marina and campground leases and easements. This appointment of a TMA Officer to this council is a positive as it puts TMA in the fore front of discussion on TVA decisions that affect us all.

3. Todate, TVA has approved two Easements, one Marina and one Campground and one Marina Lease. None of these documents have been executed at this time due to language in the documents not being satisfactory to the Grantees. This Committee does not know a great deal about the Campground Easement other than knowing that the Grantee has agreed to a rental rate for the Easement based on the Percent of Revenue formula as presented by the TVA official at the TMA 2010 Conference. We do know both marina documents are with current members of TMA and further, they have been structured with the rent based on the Fair Market Value approach as presented by the TVA official at the TMA 2010 Conference. At this writing, exchange between TVA and these two marinas is ongoing as regards reaching an agreement on the document language.

4. James Adams, Manager Land & Shore Operations and TVA spokesman at the TMA 2010 Conference, continues to expand his staff in the field. He recognizes there is still a lot of anxiety amongst existing license, lease and easement holders. This is particularly true where he is dealing with "specific purpose agreements" aka as 4KA Agreements. It's believed by the writer that many of these are in Alabama. James is hopeful the increased staffing will allow his office to respond quicker and with more detail in responding to the Grantees and Applicants he is dealing with.

5. We do not have an update on any communication between TVA and the Alabama contingent that attended the TMA 2010 Conference. In the near future, the writer will reach out to them to determine their path of action as regards joining TMA, etc…

6. Lastly, I'll close this report with the same point I closed the last report with. This Committee continues to be in commutative negotiation with TVA on two concerns; (1) language that would provide for an existing Grantee to have right of first refusal to renew or extend his/her lease/easement for an additional period and (2) language that would provide TVA comfort in the event of a Grantee's default leaving the site in disarray at the expense of TVA cleaning up. Presently they are asking for a sizable deposit scaled to the Grantee's ability to pay and the size of the real estate, improvements there-on.

TMA TVA Committee Members are as follows. Feel free to communicate your concerns and thoughts to any of them.
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