

REGIONAL RESOURCE STEWARDSHIP COUNCIL MEETING TRANSCRIPT

MARCH 17, 2000

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1 REGIONAL RESOURCE STEWARDSHIP COUNCIL
2
3 MAYOR EDDIE L. SMITH, JR. (COUNCIL CHAIR)
4 SENATOR ROGER BEDFORD, JR.
5 MR. W. C. NELSON
6 MR. AL MANN
7 MAYOR THOMAS GRIFFITH
8 MR. BILL FORSYTH
9 MR. HERMAN MORRIS, JR.
10 MR. JIM SUTPHIN
11 MS. ELAINE PATTERSON
12 MR. LEE BAKER
13 MR. JIMMY BARNETT
14 MR. AUSTIN CARROLL
15 MR. BOB MATHENY
16 MR. PHIL COMER
17 MS. ANN COULTER
18 MS. JULIE HARDIN
19 MS. MILES MENNELL
20 MR. BRUCE SHUPP
21 DR. STEPHEN A. SMITH
22 DR. PAUL F. TEAGUE
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TENNESSEE VALLEY AUTHORITY REPRESENTATIVE

KATE JACKSON, Ph.D
EXECUTIVE VICE PRESIDENT
TENNESSEE VALLEY AUTHORITY
DESIGNATED FEDERAL OFFICER
400 WEST SUMMIT HILL DRIVE, WT11A-K
KNOXVILLE, TENNESSEE 37902

1 P R O C E E D I N G S

2 DR. KATE JACKSON: I am going to make
3 just a few remarks just to talk a little bit about
4 the Council and roles and commitments, that sort of
5 thing.

6 The Council has been established
7 under the Federal Advisory Committee Act, and we
8 will hear a little bit more about what that means
9 later, but one of the requirements of that is that
10 the Agency designate a federal officer.

11 And so what -- what is the designated
12 federal officer? That's what I am here. First, I
13 am the official liaison between the Agency and the
14 Council and your recommendations will be submitted
15 to me, and I'm responsible to make sure that they
16 get full consideration from management.

17 But the laws also require that I take
18 care of you and that I make sure that you have got
19 the information that you need to be able to do your
20 work and you have got access to the right experts.
21 So my staff and I are responsible for getting
22 materials out, getting meeting announcements out,
23 making sure that public notices are out, gathering
24 any technical information that you might need,
25 basically getting all of that stuff out of the way

1 so that you can spend your energy focused on the
2 real issues.

3 Under the Charter that's been set up
4 for the Council, that process of establishing that
5 Charter involves the General Services Administration
6 and the Office of Management and Budget and also the
7 White House.

8 I am authorized to coordinate with
9 the Chair to submit issues for your consideration.
10 If there is some issue that's of great significance
11 to the Agency, I can put it in front of you and --
12 or if I know that there may be issues that you would
13 really want to discuss, I could bring that to you.

14 And I will alert you on issues of
15 timing. There are -- there are cycles to our
16 business, both the weather cycles, the rain cycles,
17 and budgetary cycles. Clearly, some of those timing
18 issues need to be discussed so that you can be
19 thinking about issues in the appropriate order so
20 that they can have maximum impact. So I will keep
21 you alerted to those dates as they're coming.

22 But the topics that I suggest are not
23 the last word on that matter. The Charter specifies
24 that the Council itself can choose to either address
25 topics that I recommend or take up consideration of

1 other issues that are within the Charter's
2 boundaries, and I want to make sure that you know
3 that I will work with the Chair to place agenda
4 topics on to the agenda that are important both to
5 TVA but also to this body.

6 And that brings me to another point,
7 it's essential that this Council be seen as
8 independent and really without undue influence of
9 TVA. And candidly, if you're perceived as a
10 creation of TVA, that's not going to do you any
11 good, that's not going to do the people of the
12 valley any good, and it's not going to help TVA.

13 So we have tried to provide enough
14 structure and support and get you launched and not
15 spend months having you agonize over structure and
16 process and then get out of your way so that you
17 have got some time and energy left to debate the
18 issues. But let me spend one moment talking about
19 what I think is probably the most important issue
20 facing your credibility; and that is, the
21 composition of this group itself.

22 When we drafted the original Charter
23 we had to make some statements about size of the
24 Council. And as we reviewed the history of
25 Federally -- Federal Advisory Committees, it was

1 apparent that there's -- there's always a tension
2 between the number of people who are interested, the
3 number of groups that want to be represented or feel
4 that they ought to be at the table versus getting
5 the group to a size that's unwieldy, can't actually
6 have substantive conversation and communication, and
7 can't be small enough to make some significant
8 progress.

9 In fact, we had nominations and
10 expressions of interest from 130 people who wanted
11 to be on the Council, but we knew that if you get
12 much over about 20 that it's difficult to hold those
13 group discussions, and I believe actually 20 is
14 probably -- probably pushing that upper limit.

15 So before we knew that there would be
16 loads of people in the valley who would be
17 interested in sitting in your chairs, we put the
18 maximum at 20, and we knew that that would cause a
19 struggle with getting people at the table and
20 getting the right people represented, but we felt
21 that that was an appropriate struggle to work
22 through.

23 The process of selection was driven
24 by the need for the Council to represent that full
25 range of people and groups who depend on all of

1 those outputs of the river system and the power
2 system.

3 The Charter was written so each
4 Governor of the seven states of the valley could put
5 their representatives on who would bring a statewide
6 perspective to the deliberations.

7 We also asked that the Tennessee
8 Valley Public Power Association nominate electric
9 power customers responsible for our customers who
10 are responsible for delivering power to the real
11 folks who use it in the valley, the people and the
12 businesses in the valley, and we also asked our
13 Director of Customers to put one representative on.

14 Our driving concern in allocating the
15 eight remaining slots was to use them to ensure that
16 representation of all of those other interests
17 listed in the Charter who have a stake in our
18 decisions about stewardship and policies could be
19 represented, including flood control, environmental
20 issues, navigation. We also wanted to ensure the
21 views of business, consumers, education, community
22 leadership, and economic development were
23 represented.

24 Because a few people would need to
25 represent several different issues and several

1 different interests, we looked at those of you
2 across the region who kind of were twofers and you
3 could -- you could represent several different
4 perspectives and several different issues or a broad
5 array of constituencies.

6 We struggled with the constraints and
7 made every effort to weighing -- weighing this to be
8 a manageable size getting geographic representation,
9 having a little bit of diversity around the table to
10 the extent that we could, and we feel very
11 comfortable with and are really excited about the
12 composition because we believe it really has struck
13 that balance.

14 The primary consolation the Board had
15 in making the final selections to bring this group
16 together were knowing that there were lots of people
17 who had a great interest in serving on the Council
18 and that you, as a Council, could draw on all of
19 those people who have a very strong interest in
20 helping you do your work and you could draw on other
21 subject matter experts to serve on special topical
22 committees and working groups.

23 I will make two final comments.
24 First, the Charter allows for recommendations to be
25 made on an affirmative vote of majority, and each

1 member will have an opportunity to provide a
2 minority or a dissenting view.

3 However, we view a majority vote to
4 be the method of absolute last resort. We much
5 prefer that your deliberations drive toward
6 consensus if it is at all possible, and let me tell
7 you why we prefer that consensus model.

8 When TVA makes a decision about
9 operations, we find ourselves balancing a number of
10 conflicting demands and different resource
11 management philosophies, and the primary value of
12 the Council is that instead of having TVA figure out
13 that balance, that you get to talk directly to each
14 other about what that balance is and what that
15 balance should be.

16 If at the end of it you vote on it,
17 vote on a choice, and say you're 9 to 11 or 8 to 12,
18 what you have done is reverted back to TVA the
19 responsibility to struggle with that balance again.
20 The value is that you reach a common ground and
21 begin to discuss that common ground with TVA.

22 The other reason is that if there is
23 a subset of this Council who feels that every time
24 they have a position they're in the minority, every
25 time they have a discussion they don't have a real

1 discussion because what you will do at the end of it
2 is vote and they will be voted down 16 to 4 or
3 whatever, it provides them a disincentive for full,
4 honest, and hard working participation in all of the
5 activities. So I hope that -- that we won't
6 diminish the value and clout of the Council by going
7 to a voting process.

8 Also, if you reach a decision and
9 you -- or have a dissenting opinion and you're
10 pretty close, TVA is in a very difficult situation.
11 If you actually represent the people of the valley
12 and the constituencies that you are here to
13 represent and you can't come to a consensus, then
14 anything TVA does will largely frustrate or not
15 serve appropriately some major constituency in the
16 valley. So also we then -- we then can do anything
17 we want to do. If you're half and half, that
18 doesn't drive us to change the way we think about
19 things.

20 So I encourage you to struggle
21 through some of those discussions that we are likely
22 to have so that we can find some new common ground,
23 and we cannot have people who feel disenfranchised
24 in the process so that you can have the maximum
25 impact.

1 That brings me to my final point,
2 while you're making recommendations, not decisions,
3 we want that investment of your time to be really
4 well spent, and so I want to confirm my commitments
5 to the Council. You heard Chairman Crowell's and
6 Director Harris', but first, and this is a bare
7 minimum, we will respond to every recommendation.

8 Second, when we adopt those
9 recommendations, we will tell you what we're going
10 to do about it and when and talk about the
11 implementation.

12 But finally, there may be times when
13 you give us a recommendation that we have trouble
14 with, and my first -- my first attempt will be to
15 come back and talk about why there is an issue there
16 and see if we can't struggle through trying to
17 understand and find out if we could change the
18 recommendation a little bit, change our perspective
19 a little bit, so that we can implement it. The only
20 time we may not be able to do that is if there is a
21 significant time issue that we have to go make a
22 decision, but you will know about that first.

23 So with that I'm going to introduce
24 the Council Chair, the Mayor of Holly Springs,
25 Mississippi, and President of the Municipal League,

1 Eddie Smith.

2 And when we looked for a Chair, what
3 we looked for was someone with experience bringing
4 people together in a common cause and someone who
5 represented multiple interests but was not locked
6 into an advocacy position and someone who could
7 speak to the whole group and be accepted by everyone
8 as an honest broker. He's got a big job, and I look
9 forward to working with Mayor Smith, as I look
10 forward to working with all of you.

11 MAYOR EDDIE SMITH: Thank you, Kate.
12 Good morning. Is everybody wide awake?

13 Before we start, anytime I start on a
14 new adventure, I always seek divine guidance, and so
15 we're going to just pause for a moment to do that in
16 your own way just for a moment.

17 (Brief pause.)

18 MAYOR EDDIE SMITH: There's two other
19 persons here at the table, other than council
20 members, that I think you need to know. One is
21 Kimberly Nixon, who is the court reporter, and it's
22 important that we only speak one at a time so that
23 she will be able to get all that we're saying. And
24 the other person is Jim Creighton, who is our
25 consultant for this Commission. And the remaining

1 persons at the table, I think, are Council members.

2 And I am honored to call this first
3 meeting of the Regional Stewardship Council to
4 order. Like you, I have just begun to get
5 acquainted with what's going on and understanding
6 the details.

7 I spent last week up here with Kate
8 and Jim and other members of the staff in trying to
9 get some understanding of what we were supposed to
10 do, and I am excited about the opportunity that this
11 Council represents. I will try to Chair -- I will
12 try to be a Chair who brings the group together and
13 makes sure the process works for everyone on the
14 Council.

15 Today the meeting has two purposes.
16 The first could be called an orientation or an
17 education session. Most of us know only a portion
18 of the needs that the river system meets. Some of
19 us know some functions of the system very well but
20 still may not know about all aspects of it. So this
21 morning there will be an activity designed to
22 increase our appreciations of all the purposes of
23 the rivers served and how they are interrelated.

24 This afternoon's session will be
25 primarily an organizational session dealing with

1 such issues as proposed groundrules, the topics we
2 will be addressing, the schedule of the meetings and
3 how we are going to communicate with each other.

4 Then there will be an opportunity for
5 any one of you -- anyone from the public to make
6 comments, and that will be this afternoon that we
7 will have for public comments.

8 This will be followed by a period in
9 which the Council members may make any comments they
10 wish to make, either in response to the public
11 comments or just something you -- an issue you
12 really want to bring before us and put on the
13 agenda.

14 Please know that our comments are
15 being recorded by the court reporter. If she has
16 trouble hearing something or needs a clarification,
17 she will tell me and I will stop until things get
18 straightened out.

19 In addition, when there are periods
20 of comments or discussions, there will be visual
21 summaries that will be shown on the screen, and
22 that's over there.

23 MR. JAMES CREIGHTON: I think that
24 got changed.

25 MAYOR EDDIE SMITH: Okay. Well,

1 anyway, first, I want to learn more about who the
2 members of the Council are and your expectations of
3 the Council.

4 So I am going to introduce myself,
5 and I think Kate has about done that. I'm from a
6 small place called Holly Springs, Mississippi, and
7 that's in the northern part of the State of
8 Tennessee and not -- northern part of Mississippi,
9 just west and just outside of the State of
10 Tennessee. We're near Memphis.

11 And I hope -- and what we want to do
12 is get each one of you, as you introduce yourself,
13 to tell what you really would think would be a
14 success of this group at the end of this two-year
15 period in 2002, and so we want you to do that.

16 And I will start out by saying that I
17 hope that at the end of this two-year period that we
18 would have come together as a group and worked in
19 harmony and made some significant recommendations to
20 the Tennessee Valley Authority that would make a
21 difference in the issues that are before us and
22 would be for the betterment of our society and the
23 areas for which we serve. So that's what I would
24 like to see done as we move through this year 2000.

25 And I think I will start to the

1 right. I can't see the tag. Stephen, if you will
2 start off, and then we'll just go around the table
3 and get introduced and get a little better
4 acquainted.

5 DR. STEPHEN SMITH: My name is
6 Stephen Smith, and I'm the Executive Director of the
7 Tennessee Valley Energy Reform Coalition. I am in
8 Knoxville. I'm a veterinarian by training, although
9 I'm not practicing right now. I have a couple of
10 things, several things actually, that I would like
11 to see accomplished in this time frame by this
12 panel.

13 One is I hope that this panel will
14 reconnect TVA to its original mission. I think that
15 TVA has had a tendency to view itself more as --
16 nothing more than a power company as opposed to
17 really understanding its broad based mission that it
18 has that makes it truly unique, and I think it's
19 important that TVA not forget that and that we look
20 for opportunities to hardwire that back into the
21 Agency, because my sense is that while we may have
22 the right personal commitment by some now to really
23 look at this and protect these resources, I think
24 that it is too vulnerable to the actual
25 personalities.

1 So if these people are gone, then it
2 may be that that commitment may go with them. So I
3 think that it is important to hardwire that
4 commitment back into the Agency and polish it off a
5 little bit and update it for the 21st Century.

6 I think it's critically important
7 that everyone at this table, and hopefully through
8 this Council and through coverage of what we do and
9 through our constituents, that we help people
10 develop a greater appreciation for protecting both
11 the watershed and the airshed that TVA has a
12 commitment to protect.

13 I would say it is very important for
14 us to make sure that the commitment to public lands
15 and water quality and reducing TVA's environmental
16 footprint so that it doesn't cause ongoing damage to
17 the resource, which is in the Recourse Council, and
18 as we heard last night, a real appreciation for
19 developing and bringing the concept of
20 sustainability out of the intellectual realm and
21 into actual reality.

22 So those are -- those are just a few
23 of the real small things that I hope we pull off in
24 the next 24 months or so.

25 Thank you.

1 MAYOR EDDIE SMITH: Jim?

2 MR. JIM SUTPHIN: My name is Jim
3 Sutphin. I'm from the State of Virginia. And we
4 don't have any of TVA's reservoirs in my area, my
5 region, however, we are a consumer of the utilities.

6 More importantly, our people benefit
7 by the investments that TVA makes into the
8 community, and that's one of the things that I would
9 like to really applaud TVA for, that they are
10 concerned about the people in the communities and
11 the region where they serve.

12 One of my favorite Proverbs is,
13 "Where there is no vision, the people perish." And
14 what I would like to see from the two years of this
15 Council is a vision that clearly establishes TVA's
16 success and its service to its greatest resource of
17 this region, the public, for the long-term future.

18 Thank you.

19 MAYOR EDDIE SMITH: Paul?

20 DR. PAUL TEAGUE: My name is Paul
21 Teague. I am a semi-retired physician from Parsons,
22 Tennessee, after having spent 25 years in Memphis,
23 Tennessee. I live on the banks of the Tennessee
24 River. I consider myself a customer activist.

25 What is our purpose?

1 I see it as a communication center,
2 like a marriage, TVA and its customers. We must --
3 times have changed from the original birth of TVA.
4 Society has changed. Customers now not only
5 request, they demand respect from the bureaucracies,
6 which, of course, TVA is considered part of the
7 bureaucracy.

8 And I think it's our responsibility
9 to be able to go back to our constituents in our
10 community and say, look, TVA is working for you, but
11 I think it's also our responsibility to say, TVA,
12 you work for us, and let's get communications and
13 work together because a marriage is built on
14 communication.

15 Thank you.

16 MAYOR EDDIE SMITH: You may need to
17 pull the mic up a little closer to you and try to be
18 sure to speak into the mic.

19 Jimmy?

20 MR. JIMMY BARNETT: Thank you. Jimmy
21 Barnett, I'm the General Manager of Sheffield
22 Utilities in Sheffield, Alabama. Now, you may think
23 that says, okay, you're just a power distributor and
24 that's going to be your focus, no, not really.

25 I have come to the Council with a

1 very varied focus. First, I am a river rat. I have
2 been on the Tennessee River just about all of my
3 career, boating, fishing, camping, and doing this
4 sort of thing.

5 I also take water from the river for
6 my citizens in Sheffield and treat it and put it
7 back into the river cleaner, Kate, than we take it
8 out, by the way. There's a water fountain at the
9 end of our process and I challenge everyone to come
10 and have a drink out of that particular fountain.
11 Most folks sort of look at it funny.

12 The problem we have in taking the
13 water out of the river and treating it is if the
14 water is clean enough we don't have to treat it very
15 much and that keeps our cost down. So our citizens
16 are interested in that, and naturally, so am I.

17 We also have in our bailiwick natural
18 gas. We also have in our bailiwick waste water.
19 We're thoroughly regulated by EPA and the Alabama
20 Department of Environmental Management. And right
21 now we're working to and with TVA helping us to do a
22 source water assessment of all of the upstream
23 polluted sources into the river, and we're very
24 interested in that. It's something that EPA is
25 requiring, so we're having to do it, but I think

1 it's good for our citizens that we're doing it. So
2 I think everyone should talk more about the possible
3 sources of pollution and be aware of it.

4 On the other hand, we're also
5 interested in economic development, and I am
6 interested in economic development. We have some
7 good sites on the river and some folks don't like to
8 see any industrial sites on a river. I like the
9 jobs. I like the economic growth that's there. I
10 want them to be responsible parties, not doing any
11 pollution either to the air or to the water, and
12 still I want jobs for our people so they can
13 prosper.

14 The thing I look for out of the
15 Council is the -- several things. One is a
16 responsibility that we want TVA to assume, which
17 they already have assumed, and I must say that I am
18 impressed by the way they have integrated the use of
19 the river and all of its resources. It's a
20 thankless task because all of us have different
21 views.

22 Some people think TVA is autocratic.
23 I thought that also, to be very honest with you. We
24 used to call them momma TVA, if you will. They have
25 changed somewhat in the past, witnessing of this

1 Council and witnessing of other things they have
2 done fairly recently.

3 I would like to see us consider
4 continuing to have TVA operate the river. It's
5 nothing against the Corps of Engineers, but TVA, I
6 think, has been doing a great job integrating the
7 various uses, from the height of the water to
8 everything else. It's a thankless task. I like the
9 recreation on the river. I live right on the river.
10 I like the use of it, but also I like the power
11 that's generated.

12 From that standpoint, I also think
13 that we should take into consideration anything that
14 we do or recommend and that TVA might happen to do
15 is going to cost some money.

16 Where does TVA's money come from?

17 It comes from the people that pay
18 their power bills, whether they are direct serve or
19 whether it's by the 8,000,000 citizens in the
20 valley. And when that happens, when they spend
21 money, it comes from -- our electric bills go up.
22 My bill goes up. Your bill goes up.

23 Now, I think that a lot of the things
24 we do or may recommend that TVA might do is done for
25 other parts of the country by the federal government

1 out of federal coffers. I would like for us to
2 recommend that we get some information about what is
3 being spent in other parts of the country and
4 request our rightful share, if you will. I think we
5 should not be taxed twice for something, pay for it
6 ourselves, and we're also helping other parts of the
7 country pay for it, to me that's a -- it's not fair.
8 It's blatantly not fair.

9 Anything else that we want to do,
10 then we should look at it and say, okay, we want
11 this done as a consensus, are we willing to pay for
12 it and have our electric rates at least somewhat
13 higher, marginally higher? How is that going to the
14 affect TVA in our region as far as the new
15 restructuring of the industry -- electric industries
16 comes about? So that's basically what I am
17 interested in.

18 Sorry to take so long.

19 MAYOR EDDIE SMITH: Thank you. Lee?

20 MR. LEE BAKER: Good morning, Eddie.

21 Thank you. Jimmy has done an excellent job of
22 expressing a lot of the views I had, so I will
23 concede some of my time to him so that way it won't
24 seem so long.

25 My name is Lee Baker. I'm the

1 Manager of Newport Utilities in Newport, Tennessee.
2 Like Jimmy, we also do water and waste water, so we
3 are taking -- not only providing the electric energy
4 for our little corner of the world, but we also take
5 water from the river system and then clean up the
6 waste water and discharge back into the river
7 system. So those elements are extremely important
8 to me also.

9 I feel like it's my responsibility to
10 represent the rate payers that I answer to and that
11 are my customers and the customers of this region.
12 I do have a little different perspective in that I
13 started my career in the utility business with an
14 investor owned utility in Mississippi.

15 It troubles me somewhat, having
16 worked both sides of the street, so to speak, public
17 power, and TVA in particular, has some real enemies
18 out there. So I suspect no matter how excellent a
19 job we do, we have got some enemies out there that
20 are going to be critical to us and critical to TVA,
21 and I think it's extremely important and we are very
22 blessed to have in our region public power. And I
23 want to be a defender of public power.

24 And if you have never worked the
25 other side of the street or if you have never lived

1 in another part where you don't have that, I am not
2 sure how much you can appreciate what we have here
3 in the valley, public power and the representation
4 that it provides.

5 So I want to be diverse in our
6 thinking also and recognize that there are other
7 viewpoints and be willing to listen to those other
8 viewpoints, but like everybody, we have got busy
9 work to take care of also, but we fully intend to
10 engage this Council and be a part of the discussion
11 process, look for interesting and noteworthy things
12 to come of it. So I look forward to working with
13 all of you.

14 Thank you.

15 MAYOR EDDIE SMITH: Roger?

16 SENATOR ROGER BEDFORD: Thank you,
17 Mr. Chairman. I am Roger Bedford from Russellville,
18 Alabama. And let me say, I am very impressed with
19 the quality of the membership that I have had the
20 privilege to get to know since I arrived here.

21 And Kate, I feel confident that this
22 will not be identified as a yes group for TVA here
23 with as many strong personalities and interests that
24 are gathered here.

25 I was first elected to the Alabama

1 Senate in 1982. My Senate district goes from the
2 Tennessee River down to Tuscaloosa and Northwest
3 Alabama. I have both TVA, municipal systems,
4 Alabama power, and two coops in my district. So I
5 have had some hands-on experience with power issues
6 as well. I am interested in TVA's role as we move
7 into deregulation. I hope that will be part of our
8 discussions.

9 I am obviously interested in economic
10 development and flood control, but something that
11 was a little absent, as I thought about it this
12 morning, from the conversation last night, is that,
13 you know, I grew up from Wilson to Wheeler with my
14 father hunting and fishing and camping across this
15 great watershed, and those are some of the best
16 memories of my life, and I am enjoying that again
17 with my 12-year-old son as we do that.

18 And I hope that part of the mission
19 and part of the balance of this stewardship will be
20 preserving that quality of life for future
21 generations to enjoy, managing the wildlife and the
22 erosion of the soil and the pollution from off site
23 that comes in so that we have an interest in water
24 quality as well as the utilization of the water as
25 well.

1 One of the things that I hope will
2 come out of this is reflected in a thought that I
3 had last night as well when I was driving up here
4 when Bob Clement, who is now a congressman, a friend
5 of mine, was on -- had just come off of the TVA
6 Board at the time, and I asked him, I said, "Bob,
7 what's it like?"

8 And he said, "Roger, it's almost
9 scary."

10 I said, "What do you mean?"

11 He said, "There's just three of us,
12 and at any given moment, if I can convince somebody
13 else to go my way, we can take off in a whole new
14 direction."

15 So I hope that what we will try to
16 provide for TVA is long-term framework, some
17 parameters in which we keep the Board in its
18 directions and its goals so that when we end in 2002
19 we will have both a long-term agenda and a
20 short-term agenda that will keep in mind the
21 original mission and role of TVA, which was to bring
22 electricity to rural Southeast America, and in so
23 doing, improve the quality of life for generations
24 to come.

25 Thank you.

1 MAYOR EDDIE SMITH: Ann?

2 MS. ANN COULTER: Ann.

3 MAYOR EDDIE SMITH: I couldn't see
4 your tag.

5 MS. ANN COULTER: Thank you,
6 Mr. Chairman. I am Ann Coulter and I am presently
7 with River Valley Partners. My professional
8 background is in land use issues. And I am from
9 Chattanooga.

10 Like a number of you, I grew up in
11 TVA, Tennessee Valley waters and about those waters
12 and used that electricity. The history of TVA in
13 this area is incredible, and I think that creates an
14 incredible responsibility for TVA and the future of
15 this region.

16 I can remember my mother telling me a
17 story of traveling to Chattanooga from an outlying
18 county as a young girl to see President Roosevelt
19 dedicate the Chickamauga Dam, and you just go on,
20 you know, from there with the history of TVA.

21 I have some similar expectations to
22 the ones that have already been expressed. So I
23 won't reiterate those.

24 I would say that we have learned some
25 hard lessons in Chattanooga with regard to a lot of

1 these kinds of issues. When you consider that we
2 were at one time one of the most highly
3 industrialized cities in the entire country, and
4 still actually have a higher percentage of
5 industrial jobs than the national average, and at
6 the same time we have gone a long way toward coming
7 to terms with what we consider the most important
8 single unifying element of our city and our county,
9 and that's our river. And I think you don't have to
10 go very far in Downtown Chattanooga to see what that
11 return or respect for the river has meant.

12 So I think what that has -- part of
13 what that has taught us is that you can have clean
14 air and clean water and good jobs and a high quality
15 of life. So there's been a lot of talk this morning
16 about a balancing act, I think you can have all of
17 those things, and I would hope that that is a lot of
18 what we will be about.

19 Another one is, I think TVA is
20 uniquely positioned in this country, and possibly
21 even the world, and the Tennessee Valley, therefore,
22 can deal with issues of regionalism because I think
23 one of the things that we face as a nation and as
24 people trying to live in places is what can be the
25 divisive or the unproductive elements of political

1 jurisdictions.

2 In Chattanooga, you know, we live a
3 stone's throw from the Georgia state line, and
4 sometimes that is almost a brick wall, and we know
5 that's not a productive way to live. If you look at
6 how regions work effectively historically,
7 economically, that's a pretty powerful dynamic. I
8 am intrigued with the potential that TVA has to
9 bring a region together and help us unify it and
10 work on a more regional basis to get out some of
11 those things that otherwise would divide us.

12 Thank you, Mr. Chairman.

13 MAYOR EDDIE SMITH: Phil?

14 MR. PHIL COMER: I am going to read
15 mine, Mr. Chairman.

16 MAYOR EDDIE SMITH: All right.

17 MR. COMER: My name is Phil Comer.
18 I'm from Dandridge, Tennessee, and I am here to
19 represent approximately one and a half million
20 citizens of East Tennessee who are TVA stakeholders
21 with a special interest in the tributary lake
22 levels.

23 Let us pretend it is March 17th in
24 the year 2002 and I am looking back over the last
25 two years. In March of 2001 TVA Chairman Craven

1 Crowell announced the end of a four-year moratorium
2 on lake level studies and at the same time revealed
3 that as a result of studies that had been going on
4 since mid 1998 by the TVA Lake Level Task Force, the
5 TVA Board had decided to leave all 13 tributary
6 lakes at a normal summer pool until October 1 of
7 each year beginning in the year 2001.

8 Two: Sparked by a movement led by
9 the Sierra Club all of the major U.S. environmental
10 groups voted TVA as the No. 1 energy producer for
11 reducing air pollutants from its coal burning
12 plants.

13 Three: TVA announced that it was
14 holding electricity rates steady for another
15 two-year period and had reduced its long-term debt
16 by another one billion dollars.

17 Four: The U.S. Congress voted
18 unanimously to reinstate the annual -- an annual
19 \$100,000,000 appropriation to TVA to cover all
20 non-power responsibilities.

21 Five: In January of the 2002
22 President George W. Bush announced that he had
23 finally been able to persuade Mr. Craven Crowell to
24 serve another nine-year term as Chairman of the
25 Board of TVA.

1 Thank you.

2 MAYOR EDDIE SMITH: Bill?

3 MR. BILL FORSYTH: I don't know
4 exactly how to follow that one. I am Bill Forsyth.
5 The only instruction the Governor of North Carolina
6 gave me when he appointed me to this Council, he
7 said, "Get those lake levels up."

8 I am the Chairman of Murphy Power
9 Board and I appreciate the cost of TVA power. My
10 job is Executive Director of the Cherokee County
11 Economic Development Commission, and I really
12 appreciate the cost of TVA power. I have got a
13 summer house on Lake Hiwassee which drops 60 feet
14 every year, and I would like to keep those lake
15 levels up. So I wear a lot of hats here.

16 MAYOR EDDIE SMITH: Okay. Thank you.
17 The next person is Thomas Griffith, who is a fellow
18 Mayor from Mississippi, and we're both in the TVA
19 service area.

20 Thomas?

21 MAYOR THOMAS GRIFFITH: Thank you,
22 Mr. Chairman. I am Thomas Griffith. I am Mayor of
23 the City of Amory, and I have been fortunate and
24 honored to serve the people there since 1977.

25 We are also a power distributor, as

1 Jimmy and Lee are, serving and distributing, of
2 course, TVA power and have for -- for a long, long
3 time. I make no bones about it, I am a very pro TVA
4 person. I think they have done a lot, a lot, a lot
5 of goods things for all of us in the Tennessee
6 Valley area.

7 As Lee mentioned a minute ago, he's
8 worked for a private power company, and I noticed in
9 your bio stuff you had worked for Mississippi Power
10 and Light Company, and it's true that TVA does have
11 enemies out there. It's also true probably that all
12 of us individually have enemies out there, some of
13 which may be justifiable and some of which may be
14 jealousy.

15 But I sit here and I see that I am
16 serving on the Regional Resource Stewardship
17 Council, and I have to think about, and I wasn't
18 there at the time back in 1933 when TVA was created,
19 that the resources and the water and so on and so
20 forth was probably here at that time. It was
21 running rapid. It was flooding people out. It was
22 floating their crops out. It was eroding the soil,
23 and that Act, among other things, helped to bring --
24 harness that in, and, of course, to generate
25 electricity for the valley.

1 I think that -- I think about also,
2 and I guess I know I am old, and I am thankful to be
3 that because the alternative to getting old is not
4 as good, but I do remember as a child when we got
5 electricity at home and what it was like then, and
6 really and truly, I would have to say that it didn't
7 make a lot of difference in our lifestyle because
8 our family was -- we were poor, I guess, but we were
9 probably better off than most folks around. We had
10 those Aladdin lamps, if anybody knows what those
11 are, and they made a real good light, and probably
12 brighter than a light bulb. It's changed the world
13 a lot, our part of the world a lot.

14 And I was thinking about it there a
15 minute ago, I think Jimmy was the one that said it,
16 that, you know, we're -- I feel like that we're
17 fortunate now to be a part of the Tennessee TVA area
18 and a part of the Tennessee Valley area. Probably
19 in 1933 we wouldn't have been so fortunate if we had
20 to go back to those days.

21 So I think by and large, the most
22 part of our success in our part of the country has
23 come about as a result of TVA. I think that on this
24 Stewardship Council that we have to be very well
25 aware of the importance of this stewardship of our

1 natural resources, and in particular water, and see
2 that it's preserved.

3 And also, I guess as someone said,
4 walking a tight line with economic development, our
5 people have to have jobs. They have got to have
6 homes to live in. Those are the two key ingredients
7 for growth and development of a community or an
8 area, and so we have got to work toward that and
9 create a suitable place for those things to exist,
10 as well as, as the Senator said, enjoying the
11 natural resources of being able to go out and camp
12 and hunt and enjoy those type things with our
13 families, particularly our children and ourselves.

14 So it is a balancing act, but we have
15 a -- we have a great heritage to look back on. TVA
16 has a great track record. And I think that we have
17 to look back at the past to evaluate some of the
18 direction we need -- we must go in the future.

19 I am interested in and I am concerned
20 about the stewardship of our natural resources and
21 our -- this part of our world, the Tennessee Valley.
22 I am honored to be serving on this Council with this
23 distinguished group of people who are here, I think,
24 mainly because of their interests, without a doubt
25 because of their interests.

1 Someone mentioned they talked with
2 their Governor about this and he had some request
3 about the water level, I believe Bill did, well,
4 Bill, I talked with Governor Musgrove, and he didn't
5 know as much about this as I do, and that wasn't
6 much, but he said, "I know you will do the right
7 thing." I guess he has got more confidence in me
8 than I have.

9 Nevertheless, it is a very important
10 task for us. It is a very important opportunity for
11 us to help and to offer suggestions and directions
12 to the TVA Board of Directors as to how to manage
13 the resources of the valley and to help with the
14 development of our future, because we have got a lot
15 more development and growing to do.

16 And again, I am honored to serve with
17 you, and I am honored to -- on behalf of Governor
18 Musgrove, and I'm also looking forward to doing what
19 little I can to help make this a better place for
20 tomorrow and the days to come.

21 Thank you.

22 MAYOR EDDIE SMITH: Austin?

23 MR. AUSTIN CARROLL: Thank you,
24 Mr. Chairman. I am Austin Carroll, I am the General
25 Manager of Hopkinsville Electric System, and don't

1 let that put cold chills over some of the rest of
2 you who may be here from a different perspective
3 that I am only going to be interested in power.

4 Like Kate said, there are some
5 twofers around here, and I may be -- I am probably a
6 twofer and maybe a threefer. I have had an
7 opportunity to see TVA inside out and outside in. I
8 worked for TVA for some 11 years. I've been in my
9 position there at Hopkinsville for the last 14. I
10 have lived in the valley all my life.

11 As far as twofer and threefer, I have
12 been -- I have had the opportunity of being Chairman
13 of The Land Between the Lakes Association for the
14 last eight years, and I have a small farm in
15 Kentucky, and I was recognized in 1996 as Kentucky
16 Landowner of the Year for Wildlife Habitat. So I
17 have lot of interests, other than just the cost of
18 power.

19 I've lived -- like I said, I have
20 lived in Kentucky for -- since 1980. I have also
21 lived in Tennessee and Alabama. I have lived all
22 around the valley. I plan to die in the valley. I
23 have had Giardia once and that wasn't any fun. I
24 don't want to die of something like that related to
25 bad water. So I am very interested in water

1 quality.

2 In 2002 and looking back at
3 accomplishments of this Council, I would hope we had
4 developed a set of recommendations that had been
5 accepted by the TVA Board, and I hope these
6 recommendations produce a living process for
7 sustainable growth in the valley which will produce
8 the highest quality of life for our residents for
9 many years to come. I think this balance -- or this
10 process needs to strike a balance between the
11 progress of nature and the progress of man in the
12 valley.

13 We also need to have produced a plan
14 to pay for those -- that kind of progress between
15 man and nature and it be an equitable plan which
16 distributes that burden among the stakeholders. And
17 I am looking forward to serving with the rest of the
18 Council during the next two years.

19 MAYOR EDDIE SMITH: Thank you. Al?

20 MR. AL MANN: Thank you,
21 Mr. Chairman. My name is Al Mann. I was appointed
22 to this Council by the Governor of the State of
23 Kentucky.

24 The Tennessee Valley Authority Act
25 was enacted by Congress in 1933. Its purpose then

1 was for national defense, agricultural, and
2 industrial development, flood control to improve
3 navigation on the Tennessee River, to construct
4 dams, powerhouses, transmission lines, and other
5 power structures, that was 67 years ago.

6 I think most of us would agree that
7 TVA has done an outstanding job in supplying low
8 cost reliable power in the Tennessee Valley Region.
9 I would hope that this Council could offer
10 suggestions and help TVA find ways to continue
11 supplying low cost reliable power.

12 There are some old issues which TVA
13 needs to address through open discussion, such as
14 environmental issues, recreational issues, water
15 quality, and water level issues, and shoreline
16 management, just to name a few.

17 If we could work together to find
18 effective solutions for these issues, I would feel
19 that my goals as a Council member were accomplished.

20 Thank you.

21 MAYOR EDDIE SMITH: Thank you.

22 Julie?

23 MS. JULIE HARDIN: Yes. My name is
24 Julie Hardin, and I am from Knoxville, Tennessee,
25 and have been an active leader of the Foothills Land

1 Conservancy, which has basically preserved and
2 protected over 9,350 acres of the buffer zone of the
3 Foothills Parkway lands from development and from
4 other uses, and kept it in its natural state for all
5 species, including the song birds, the bears, et
6 cetera.

7 I would like for my grandchildren and
8 great grandchildren to be able to say, I'm going to
9 take us beyond the years 2002, to be able to say
10 this Council has, indeed, returned TVA to its
11 citizenship and being stewards of the land,
12 particularly the public lands that we have taken a
13 real stewardship role in doing that.

14 Also, I would like to say that the
15 Great Smoky National Park is our greatest biosphere
16 in the world, and yet, we're also the most polluted
17 park in the nation. I would like my grandchildren
18 to say this Council took a step to begin changing
19 that fact.

20 I also would like to say that I
21 really do want to represent the citizenship and
22 improve our role, TVA's role as communicator, and
23 give it back to our citizens who we serve, our
24 consumers and our clients.

25 Thank you.

1 MAYOR EDDIE SMITH: Melissa?

2 MS. MILES MENNELL: I'm Miles
3 Mennell, but I will answer to most anything.

4 MAYOR EDDIE SMITH: Okay.

5 MS. MILES MENNELL: I'm Executive
6 Director of the Association of Tennessee Valley
7 Governments. Our organization represents the 201
8 counties and all of the municipalities in those
9 counties located in the seven states of the
10 Tennessee Valley.

11 TVA is a very, very, very important
12 partner to our local governments. We are pro TVA.
13 We are pro public power. We very much depend upon
14 and appreciate both the fiscal and physical
15 resources that TVA provides to our local
16 governments.

17 As we go forward, what I would hope
18 for us to accomplish is, as Kate pointed out,
19 consensus. We are very involved, and all of the
20 issues represented before us are important to our
21 local governments and to their constituents.

22 We care very much about what's going
23 to happen with deregulation of the power industry.
24 We care very much about conservation, environmental
25 concerns, what the Tennessee Valley looks like for

1 future generations. What our local governments are
2 interested in, of course, are both the quality of
3 life and the quality of opportunity.

4 So it's a great pleasure for me to be
5 able to represent our local governments in the seven
6 states of Tennessee Valley Region, and for us, more
7 importantly, to have a say in the decisions that
8 we're going to be making here and the
9 recommendations we're going to be making as a matter
10 of policy to TVA.

11 Thank you.

12 MAYOR EDDIE SMITH: Thank you.
13 Herman?

14 MR. HERMAN MORRIS: Good morning. I
15 am Herman Morris. I am president of Memphis Light,
16 Gas & Water. We're a consumer of electricity,
17 probably one of the largest consumers in the
18 country, certainly the largest consumer of TVA
19 electricity. We're a customer.

20 It is an honor for me to be a part of
21 this group, this body, and I think we have got a
22 significant challenge. For me I boil it down to
23 some pretty simple things and it's a lot -- it's
24 pretty easy for me at this point because everything
25 that needs to be said has probably been said, so I

1 am not going to be long.

2 I think the main thing is to keep the
3 main thing the main thing. The problem is the main
4 thing is different for just about everybody at the
5 table, based on what I have heard.

6 What I would expect is a -- for my
7 investment of our time and resources in this effort
8 is a better understanding of TVA and an
9 appreciation -- a better appreciation for the issues
10 and perspectives and properties and possibilities,
11 what it does and how it does and why, a better
12 utilization of the asset.

13 TVA is a tremendous asset, and I
14 think we all pretty much agree with that. A better
15 benefit for our community and for all of our
16 communities and to have an impact on the management
17 and the allocation and the application of the
18 resources that -- under TVA's stewardship and
19 jurisdiction and to do that in an environment that's
20 changing, in an industry that's changing. It's not
21 the same world that it was back in the 1930's. This
22 is a new millennium, it's a new era.

23 And what I would expect from our
24 investment of our time in this effort is to keep the
25 main thing the main thing in a changed world so that

1 it benefits us in our community and has a positive
2 impact on all of our communities.

3 MAYOR EDDIE SMITH: Thank you.
4 Nelson?

5 MR. W. C. NELSON: Thank you,
6 Mr. Chairman. I am W. C. Nelson from Blairsville,
7 Georgia, which is about 90 miles east of here. I
8 represent Georgia, and primarily there's three
9 reservoirs located in North Georgia that are
10 tributary lakes, tributary streams to the Tennessee
11 River.

12 The primary concern, like my neighbor
13 Bill, is lake levels, the lack of good lake levels.
14 We're concerned about economic development, and TVA
15 has been a great assistance to our area in providing
16 funds for industry, providing jobs for our people.

17 We're interested in water quality,
18 erosion that occurs when lake levels are lower, and
19 I am looking forward to serving on this Council. I
20 am very impressed with the quality of people that
21 are here. I feel kind of inept when I listen to
22 everyone speak, but thank you for having this.

23 MAYOR EDDIE SMITH: Thank you.
24 Elaine?

25 MS. ELAINE PATTERSON: Hi. I'm

1 Elaine Patterson. I'm Manager of Government Affairs
2 for Olin Corporation. We have got our plant located
3 here in Charleston, Tennessee. I live in
4 Chattanooga. I have lived here the last four years.
5 As you can tell, I am not originally from here, and
6 I really appreciate and enjoy living in the valley.

7 I am here representing the Tennessee
8 Valley Industrial Committee, which are the direct
9 serve customers of TVA, primarily large
10 manufacturing facilities in the valley.

11 I also, I guess, have another hat,
12 like some of us. I'm on the Board of Tennessee
13 River Valley Association and the concern of our
14 group is navigation and economic development as
15 well. I hope we can come out of here achieving, I
16 believe we can, a balance to support all systems in
17 the river.

18 Something that is also important to
19 our members is that we do maintain that low cost
20 reliable power. Another issue is navigation,
21 continue to have good navigation in the area, and
22 the last really, is to see if this group can make
23 sure that we have the right government support to
24 support these projects.

25 MAYOR EDDIE SMITH: Thank you.

1 Bruce?

2 MR. BRUCE SHUPP: Mr. Chairman, thank
3 you. I am last, and everybody says, thank God. My
4 name is Bruce Shupp. I'm the National Conservation
5 Director for B.A.S.S. Angler Sportsmen Society,
6 otherwise known as B.A.S.S., and we're headquartered
7 in Montgomery, Alabama.

8 We're a business, a profit-making
9 business that deals with service to fishermen.
10 600,000 fishermen are our members, and obviously,
11 we're concerned with what's going on in the
12 Tennessee Valley, one of the largest bass fishing
13 resources in the world.

14 What do we see for the future?

15 I think we share a lot of the same
16 things that everybody -- everybody here has
17 mentioned. Working together, as the Chairman opened
18 with, I think, is very important. I hope in two
19 years that this Council is trusting each other,
20 working together effectively, producing results.

21 I think it's important that we
22 broaden this Council to include more stakeholders,
23 that we bring in more voices, more opinions, and
24 that we can serve TVA very well that way by reaching
25 out and listening to more groups by working on

1 subcommittees and tackling problems.

2 And last night I was struck by the
3 challenge from BILL Robertson, who had very
4 eloquently painted what he thought was our role. It
5 scared me half to death when he said we were going
6 to redevelop the valley, I think that's a rather
7 bigger task than I expected, but that's certainly a
8 challenge, redevelop the Tennessee Valley.

9 But within two years I hope we can do
10 one very important thing, and that's -- that's
11 become the voice of TVA to stakeholders so that we
12 can build the confidence of those stakeholders in
13 the valley that TVA really cares about what they
14 think, that TVA has a strong sense of responsibility
15 for their stewardship, and that we can build
16 stakeholder trust in TVA's willingness to listen to
17 what they have to say and what their concerns are
18 and that TVA is trying to solve that problem through
19 us.

20 I'm committed to doing that, and I am
21 convinced that TVA is committed to do that too or I
22 wouldn't be here. So I thank them for the
23 opportunity.

24 MAYOR EDDIE SMITH: Okay. I would
25 like to thank all of you for sharing with us, and

1 now that we know a little bit more about each other
2 and now that we know a little bit more about what
3 each other's concerns are, we will take a break and
4 come back after the break and learn a little bit
5 more about the river system itself. So we will take
6 a ten-minute break and be back at 25 minutes after.

7 Thank you very much.

8 (Brief recess.)

9 MAYOR EDDIE SMITH: The remaining of
10 the activity for this morning will be orientation,
11 educational, and Jim Creighton, the consultant with
12 TVA, will be working with us on this.

13 I spent a great deal of time last
14 week working with him in helping develop these
15 activities, and he is going to provide instruction
16 for us on going through the process of these
17 activities today.

18 For those of you who haven't read
19 Jim's bio, he has nearly 30 years of design
20 processing for -- including public indecisions and
21 has worked directly with more than 20 advisory
22 groups. He's going to work -- can you hear me?

23 He's going to work with me and the
24 Council to advise on how to make the process
25 effective and will be involved in helping us plan

1 and run the meetings and so forth as we work
2 together. So it's a great pleasure for me at this
3 time to present Jim Creighton.

4 MR. JAMES CREIGHTON: Thank you, and
5 good morning. I will ask you to turn to a tab in
6 your workbook called Team Exercise. And when I was
7 asked for some recommendations on how to do an
8 educational or orientation session, one of the first
9 challenges I saw was, hey, we have an awful lot of
10 experts at the table already, a lot of expertise
11 here, and so the challenge is more a matter of
12 getting it out of one person's head into the other
13 person's head rather than try to educate the group
14 as a whole. It's kind of a transfer problem, if you
15 will.

16 The other thing is, I know from my
17 own experience in watching adults, they seem to
18 learn best when they discover something rather than
19 when they are talked at. So the intent of this
20 exercise is not to talk at you about the TVA system
21 but to have you actually engage in an activity where
22 you exchange information with each other and kind of
23 discover together, because my experience is that has
24 more meaning.

25 We're also trying to replicate what

1 it's like to be on an advisory group, which is that
2 you have some expertise in your group, you have
3 other expertise you need to seek out, and it's a
4 challenge to decide when you don't want them telling
5 you everything and controlling your decisions, on
6 the one hand, and on the other hand, there's
7 information you need and so on, so the exercise also
8 replicates that.

9 In a minute what I am going to do is
10 to break you into four small teams. And the first
11 thing I need you to do when you get in a team is to
12 pick somebody from your group who is going to be
13 able to give a report back from your group's
14 deliberations. And each team is going to be given a
15 different policy theme. In effect, it's a
16 hypothetical policy change that TVA could adopt.

17 And your job is going to be to
18 analyze that particular policy for and on behalf of
19 the entire group. So the payoff is when you report
20 back to the rest of the group, you're educating the
21 rest of the group about that policy change.

22 Now, you're going to be told the
23 policy change, but you're going to have to draw on
24 your own resources to figure out, if I were given
25 that policy change, what were the actual actions we

1 would take to implement it.

2 So if your policy were, for example,
3 to absolutely optimize the operation of the system
4 for economic development, what would that mean, what
5 actions would you take, and so forth. So the first
6 step is going to be, okay, we have got -- we're
7 given a policy, what would we actually do given that
8 particular policy to make it happen, and then if we
9 took those actions, what would it do to all of the
10 other resources.

11 So if you're supposed to do economic
12 development, what does it do to water quality and
13 what does it do to navigation and what does it do to
14 recreation and what does it do to power and so forth
15 and so on. So, in effect, you're going to come back
16 and say, here's what you do and here's what the
17 impact would be, so that the group as a whole could
18 make an informed decision.

19 Now, first of all, you have got
20 expertise within your own group to draw on. The
21 other starting point you have is many of you saw
22 last night the film and the thing that goes with
23 that film is a little CD-ROM that has on it a
24 simulation -- oops, I didn't need to do that, did I?
25 I was already there. My problem was I was on the

1 right spot and didn't know it.

2 Okay. This CD-ROM is designed to
3 talk about exactly the same issues that we're
4 addressing here. What it's going to allow us to do
5 in just a moment is to take a particular resource
6 and push it up to the absolute maximum, and what
7 it's going to show you, here we have picked land
8 use, it looks like -- oh, we haven't picked -- okay.
9 We are going to pick land use. We're going to
10 maximize land use, and you notice the little arrows
11 moving up in the upper left here, we have recreation
12 is pretty high, water quality has moved way down,
13 power supply and navigation have taken it in the
14 neck, and flood control is not too bad off.

15 Now, down below it tells you
16 something about, first of all, what we did with land
17 use is we maximized commercial and residential
18 property values and economic growth, well, that's
19 nice, but what did we really do? What actions did
20 the Agency take? You would have to specify that.

21 Then it also tells you that --
22 something about what happened to each of the other
23 resources. Now, it doesn't tell you what you did
24 and it doesn't tell you why the impact is on the
25 rest of the system, and that's the part we really

1 need to know. So this is just a starting place.
2 It's a gimmick to get us going. You can use it for
3 ideas. Feel free to disagree with it, come up with
4 your own whatever you want and so on.

5 Now, also, we will make available to
6 each team a TVA consultant, and they have two
7 instructions. One part of their instruction is
8 to -- oh, before I do that, obviously this works so
9 you go back here and you click on TVA, and now I can
10 say, minimize navigation, maximize navigation,
11 navigation moves away to the right and flood control
12 moves to the left, so forth and so on. So for each
13 resource you can go back and you can play with it
14 and it will give you ideas and so on.

15 In each group we have assigned you a
16 TVA technical expert, and they have two jobs. The
17 first job is to run the computer better than I did.
18 So when you ask them to do something on the
19 computer, each of you has a computer with this
20 CD-ROM on it, they will try to do it and they will
21 try not to do illegal operations.

22 The second role they have is they are
23 there to be technical resources for you, but I have
24 given them one firm instruction; which is, they are
25 not to say anything until you ask them to. So if

1 they -- I mean that literally, if the entire time
2 you're on you don't ask them any information, they
3 are not supposed to say anything.

4 And my experience with groups like
5 this is often you kind of want to get organized and
6 get to know who you are and find out what your
7 internal resources are before you even want to think
8 about drawing on outside people, but I don't want
9 TVA people unduly influencing your comments. They
10 can -- if you ask for the information, they will
11 give it, and then they will shut up until you ask
12 for more.

13 In a way this is sort of like an
14 advisory group, which is you draw on information,
15 but ultimately it really is up to you what to do
16 with that information and how it shapes your
17 decision.

18 We have provided you with a summary
19 worksheet, which is on the third page, so that your
20 reports should contain the stuff that's in these
21 boxes, the policy change assigned to your team, the
22 actions you would take to implement this policy, and
23 then the impacts on flood control, land use,
24 navigation, power supply, recreation, and water
25 quality.

1 And on the last page of this tab, I
2 have got the four policy challenges that I am going
3 to give to the four groups. So one of you will end
4 up with, optimize reservoir levels for recreation
5 tourism and economic development. Another one is
6 going to be, generate the greatest possible amount
7 of hydropower. Another one is going to be, provide
8 the optimal water quality. Another one is going to
9 be, maximize the navigation.

10 Okay. Clear on the assignment and
11 kind of understand why we're doing it?

12 Okay. I am going to use -- to get
13 you into small groups I am going to use a very
14 sophisticated group technique I learned from the
15 U.S. Marines called counting off.

16 Two parts to it, one you have to go,
17 one, two, three, four; one, two, three, four, and
18 you have to remember which one you are, that's the
19 kicker. It's just a test of short-term memory here,
20 which I am beginning to increasingly find is an
21 issue.

22 So Council members, would you quickly
23 count off and remember which you are.

24 MR. BRUCE SHUPP: One.

25 MS. ELAINE PATTERSON: Two.

1 MR. W. C. NELSON: Three.
2 MR. HERMAN MORRIS: Four.
3 MS. MILES MENNELL: One.
4 MS. JULIE HARDIN: Two.
5 MR. AL MANN: Three.
6 MR. AUSTIN CARROLL: Four.
7 MAYOR THOMAS GRIFFITH: One.
8 MR. BILL FORSYTH: Two.
9 MR. PHIL COMER: Three.
10 MS. ANN COULTER: Four.
11 SENATOR ROGER BEDFORD: One.
12 MR. LEE BAKER: Two.
13 MR. JIMMY BARNETT: Three.
14 DR. PAUL TEAGUE: Four.
15 MR. JIM SUTPHIN: One.
16 DR. STEPHEN SMITH: Two.
17 MAYOR EDDIE SMITH: Three.
18 MR. JAMES CREIGHTON: Thank you.
19 You're more alert than I am. Arbitrarily, what I am
20 going to ask is this be -- this corner over here be
21 Group One, Group Two, Group Three, Group Four, and
22 that you take the policy challenges in the order
23 that they are given. So Group One is going to take
24 reservoir levels, Group Two, and so forth.
25 Technical experts, if you will

1 distribute yourselves to the groups and just -- we
2 need for sure that you're back here ready to
3 report -- let's see, we're actually a little ahead
4 of schedule here, aren't we? In an hour, so you
5 have got an hour to prepare your report to the big
6 group.

7 MS. JULIE HARDIN: That's a long
8 time.

9 MR. AUSTIN CARROLL: How about 30
10 minutes?

11 MR. JAMES CREIGHTON: Pardon? I
12 think you will need the hour. This is not that easy
13 an exercise. If I walk around and see that you are
14 all ready long before that, well, I will call time.

15 Okay. If you're one, please go over
16 here, two here, three here, four here.

17 MR. AUSTIN CARROLL: So No. 4 is
18 Group Four on here? That's the task for Group Four?

19 MR. JAMES CREIGHTON: Yes.

20 (One-hour recess.)

21 MR. JAMES CREIGHTON: I'm going to
22 ask for a volunteer from one of the groups for about
23 a four- or five-minute report summarizing what your
24 group -- your team's conclusions were, and then we
25 will permit others in the Council to ask questions

1 if they don't understand why something is the way
2 you have explained it in your report and you can
3 draw on other -- just because you're the
4 spokesperson doesn't mean you have to answer the
5 question, you can draw on others on your team and so
6 on.

7 Is there someone who would like to be
8 the first spokesperson? Is there someone who will,
9 whether or not they would like to?

10 MR. JIMMY BARNETT: Our particular
11 group learned a lot of different things that we
12 didn't know when we started looking through these
13 programs. When we got through with our project, we
14 also clicked on the others just to see what happened
15 if you optimized, and we liked the word maximize
16 rather than optimize.

17 We found that we also are going down
18 in the annals of history as starting World War III.
19 When we maximize water quality, which sounds very
20 noble and something that from my use of water from
21 my public drinking water standpoint, that's a good
22 idea, and so forth. At any rate, we were to provide
23 an optimized water quality, that was our goal.

24 It says, "What actions would you take
25 to implement this policy?"

1 Well, we're going to restrict human
2 development along the rivers as much as TVA can
3 legally do so. We're going to restrict industrial
4 and recreational development to the maximum. We're
5 going to continue to have TVA pressure the states to
6 enforce existing laws, such as the requirement for
7 lagoon cost containment for agricultural uses, which
8 is on the law, I understand, in the State of
9 Tennessee and is not enforced. So we're going to
10 make all the farmers mad at us along the river.
11 We're going to get them to influence other states to
12 adopt the same type of legislation.

13 We're going to limit human access to
14 the waterways for recreation uses, including
15 allowing only four-stroke engines on any of the
16 rivers. So you can see how many people are going to
17 wind up being awful unhappy.

18 What happens to flood control if we
19 do that? If we optimize one factor, what happens to
20 the others, is what we looked at. So the above
21 actions help reduce the flood risk because we're
22 limiting development. You have got fewer people
23 that are going to be alongside the river, therefore,
24 it's going to reduce the flooding risk.

25 Impacts on land use: It seriously

1 and extremely reduces human use of shore lands, but
2 it would improve the wildlife habitat. People
3 wouldn't be able to sell their property. They
4 wouldn't bring in new development along there, and
5 some of the development in our area is right along
6 the river, and people like the view and they like
7 the water and things, and it's going to considerably
8 impact their usage of that and the sales for the
9 people who own the property.

10 It's going to slow economic
11 development and jobs because we're going to limit
12 industrial expansion along the river and the use of
13 the river itself. So it's going to hurt land use.

14 What's the impact on navigation?
15 Well, it improves commercial navigation safety
16 because there's less people on the river because
17 we're going to restrict the use of the river. It's
18 going to make it so that the barges can move a
19 little bit easier. So the safety and ease of
20 movement of barge traffic is going to improve. They
21 will like when the personal watercraft are not in
22 front of them or behind them.

23 What's the impact on power supply?
24 That's what got me, of course. It's going to lessen
25 the human residential and industrial density, and

1 therefore, it reduces the power demand. So it's
2 going to reduce the usage and it's going to reduce
3 the revenues that we get.

4 It's going to reduce the flexibility
5 of TVA to respond to power peaks because they have
6 got to do it for water quality and they won't be
7 able to follow the load as much with the hydro
8 generation facilities, therefore, it's going to
9 cause the cost of electricity to go up for everyone.

10 What's the impact on recreation?
11 Well, we said it greatly reduces recreation usage,
12 and therefore, you would see a great decline in the
13 tourism industry. The entire recreational use of
14 the river will be down, therefore, all of the
15 businesses and everything that are right along the
16 river are going to see a decrease in revenues and
17 may even wind up going out of business.

18 Of course, the last one was water
19 quality on our sheet, and what we did was maximize
20 that.

21 So what we came up with the
22 conclusion -- and none of us liked this exercise, we
23 didn't want to do this, but we followed the
24 exercise, Jim.

25 MR. JAMES CREIGHTON: Appreciate it.

1 Appreciate it.

2 MR. JIMMY BARNETT: We see a need for
3 a more balanced approach. I think now, after having
4 gone through it, we appreciate the job that the
5 people that have to make the decisions are doing.
6 So I think we gained from it from that particular
7 respect.

8 Now, my group, Group Three, any of
9 you have any suggestions or comments other than what
10 I have said?

11 MR. JAMES CREIGHTON: Any questions
12 for Group Three or countervailing opinions or
13 anything?

14 You left them speechless, Jimmy.

15 MR. JIMMY BARNETT: After starting
16 World War III.

17 MR. JAMES CREIGHTON: Elaine?

18 MS. ELAINE PATTERSON: Thanks. We
19 were in Group Two. Our policy change was to
20 generate the greatest possible amount of hydropower
21 from the system. We looked at this a couple of
22 ways. We tried to figure out what that was. There
23 were two ways to look at it.

24 Did we want to generate the greatest
25 amount of kilowatts or did we want to generate at

1 the greatest value? And when prices were high in
2 the rest of the system, it would be most efficient
3 to add the lowest cost, hydro, and we took the
4 second approach for our exercise.

5 The first thing we did is we would
6 set up an implementation policy that when a market
7 price hit a certain hypothetical number, then all
8 the hydropower plants should run.

9 The additional -- the second issue is
10 we would add additional turbines at all of the hydro
11 plants to maximize that power generation.

12 And the third is that we would
13 require that all the hydro plants have pump-back
14 systems so they would pump back into the reservoir.
15 Some of the systems, as we understand, have that,
16 others don't. We would require that that be done.

17 Obviously, it had a very interesting
18 effect on all of the rest of the systems once we did
19 this. I mean, I will go through each one of those.
20 The impact on flood control, there would be some
21 increased risk of flooding, and it might cause flash
22 flooding. The impacts on land use, it would limit
23 waterfront development. There would be a greater
24 fluctuation of water levels. The aesthetic
25 qualities of being on the lake front would be

1 diminished with the levels going up and down
2 dramatically.

3 And commercial land use would
4 diminish because, for instance, an industrial
5 complex would not locate on the river due to
6 unreliable transportation, and the last is erosion.

7 The impact on navigation, we thought,
8 would be non -- navigation would be non-existence
9 because the waterways would be impassable at times.

10 Impacts on the power supply,
11 interestingly, at first we thought the power cost
12 would benefit because we're maximizing the hydro,
13 but then when we looked at the rest of the system we
14 thought the plants that needed cooling water would
15 be adversely affected because they either couldn't
16 get the amount -- the water amount or have the water
17 the maximum temperature. So these baseload plants
18 would be adversely impacted.

19 However, we sort of footnoted that if
20 you ran more hydro there would be less demand on the
21 older peaking units and there would be a potential
22 increase in air quality.

23 Impacts on recreation, this would
24 certainly have an impact on the fishermen. There
25 would be a decrease in fishing, one, due to the

1 safety factors of the water fluctuation with the
2 water releases and possibly less fish if it upset
3 the fish ecosystem.

4 If there was less development along
5 the river front there might be more undeveloped land
6 and there might be more recreational uses along the
7 river front, like for bird watching, et cetera.
8 Also, there would be more increase in kayaking and
9 white water sports. I believe we characterized that
10 as the extreme sports.

11 MS. JULIE HARDIN: And surfing.

12 MS. ELAINE PATTERSON: And surfing,
13 too, I forgot that. The impacts on water quality
14 would be negative with -- the fluctuation levels
15 would have an impact on the aquatic habitat.

16 Any comments from my committee or
17 anything additional or any questions?

18 DR. STEPHEN SMITH: Well, we thought
19 that maybe with this reverse thing and if we could
20 get Allen and Austin involved, we could start
21 pulling out of the higher river and maybe even the
22 Mississippi and sort of recharge the whole system up
23 and then be able to just run it back down again,
24 just, you know, the pump storage thing.

25 MS. JULIE HARDIN: Sure. Way to go,

1 Elaine.

2 MR. JAMES CREIGHTON: Phil, I noticed
3 you were in hysterics. Did you want to ask a
4 question or make a comment?

5 Phil, earlier when she was presenting
6 her plan you were sort of in hysterics, and I didn't
7 know whether you wanted to ask a question or make a
8 comment. No. Okay.

9 Anyone else, question or comment?

10 Okay. We need another spokesperson.

11 MR. PHIL COMER: Let me do say, one
12 of the things that they suggested was adding
13 additional turbines and generators at the existing
14 dams, I believe the TVA resource person would say
15 that essentially that's impossible. There are no --
16 you know, I think all of the places where turbines
17 and generators were left 50 years ago have indeed
18 now had generators placed in them and you cannot
19 just go along and add more. And other than the pump
20 storage near Chattanooga here, I don't think any of
21 the others on the TVA system have that capability.

22 DR. KATE JACKSON: One does.

23 MR. PHIL COMER: Hiwassee?

24 DR. KATE JACKSON: Yes.

25 MR. PHIL COMER: But the famous one

1 is here in Chattanooga, Possum Ridge?

2 DR. KATE JACKSON: Raccoon Mountain.

3 MR. JAMES CREIGHTON: Some kind of
4 critter.

5 MR. PHIL COMER: It was pretty close,
6 I thought.

7 MR. JAMES CREIGHTON: Another
8 spokesperson from another group? There's got to be
9 two more.

10 Senator?

11 ROGER BEDFORD: I made the mistake of
12 going to make a phone call and they voted for me to
13 speak when I left.

14 Our challenge was, No. 1, which was
15 to optimize the recreational and tourism and
16 economic development around the tributary
17 reservoirs, and one of the things that we tried to
18 do as we were approaching a methodology to solving
19 this was whether to try to break out economic
20 developments, separate from tourism, and then that,
21 in turn, separate from recreation, but the easy
22 thing would have been just to say recreation and
23 tourism all are under one umbrella, economic
24 development, but that's not the case, because
25 there's industry, there's power, there's other

1 issues, there's waste water discharge all involved
2 in that.

3 But one of the things we thought
4 about as we walked through the model, and probably
5 like all of you, eventually went through it, and as
6 you hit one for yours to maximize you get four
7 negatives or three negatives. And so I know, Kate,
8 you asked us not to vote, but Mayor Griffith and I
9 immediately voted not to do that because we didn't
10 want to make all those folks mad.

11 Bruce came up with a good idea, and
12 that was, as a practical approach, to look at it
13 from recreation about shoreline communities, lakes,
14 boating, fishing, rafting, and some of the others
15 that you have talked about, talked about as Scenic
16 Leaf tour, the bird watching, other things like
17 that, and really from that discussion we came up
18 with the thought of two things.

19 One is a practical approach, and this
20 ties back more specifically to what Bruce came up
21 with, which I thought was good, is we ought to sit
22 down as an advisory council and make sure that we
23 are using the latest technology available to us as
24 we look at flood control and the elevation of the
25 lakes in the extending parts of the day to see if

1 the data is still relevant, develop a working model
2 for that, and then to interact with the different
3 constituency groups with the latest information, to
4 build public opinion, to share public information
5 with them.

6 Then we also thought about this,
7 which I think really -- Jim might not admit this,
8 but I think this was probably the whole larger
9 purpose of that, and that is that TVA is a very
10 complex and an all encompassing area, and it's not a
11 one size fits all, and what's done up river affects
12 what happens down river, and that we ought to think
13 really not just as one big picture but also as
14 separate ecosystems.

15 When it comes to promoting tourism,
16 economic development, recreation, don't just say,
17 come to this dam or go to that area, but what is
18 there historically, environmentally. Economic
19 development is part of a quality of life argument
20 when you bring in these industrial prospects to be
21 able to show them that, and the attractiveness that
22 TVA brings, which brings us, too, to a concern
23 overall is that we're concerned that's part of the
24 reason that we see Congress beginning to back off
25 from TVA; and that is, because it is so complex and

1 it's not a one size fits all.

2 And so perhaps the mission that comes
3 out of this exercise and the greater exercise of
4 this Council is to develop a plan that not only the
5 public can get behind, but by the public getting
6 behind it because we developed both practical as
7 well as working models, but then we're able to get
8 the Congress back involved to where they won't to
9 get their arms around TVA again and it becomes the
10 positive that it once was rather than a divisive
11 exercise for them, just like this role model is when
12 one group or one segment wants to maximize or
13 optimize theirs, that it negatively impacts on the
14 others.

15 Thank you.

16 Any of my other -- Mayor, any of
17 you --

18 MAYOR THOMAS GRIFFITH: Good job.

19 MR. AL MANN: What actions would you
20 take to implement this policy?

21 SENATOR ROGER BEDFORD: Well, you
22 know, that's the thing, I think this is the action
23 that we're doing here, Al, is by gathering this
24 together, because if we can come to a consensus,
25 because in a way we're a microcosm of the Congress

1 because we all have different entities, different
2 backgrounds, different experiences that we bring to
3 this challenge, and if can find the balance to
4 develop the stewardship of these resources, then
5 it's a two-way street. It's us communicating with
6 TVA, Al, and then us communicating for TVA.

7 MR. AL MANN: But this was an
8 exercise, this was a team exercise, and I think they
9 wanted us to -- these were things done to the
10 extreme, and I think they wanted us to tell, you
11 know, what extreme -- what things you would do to
12 the extreme to implement a policy like this, which
13 you would have to do.

14 SENATOR ROGER BEDFORD: And Al, that
15 was the decision of our group not to go to the
16 extreme.

17 MR. AL MANN: Yeah. But, I mean, so
18 you didn't follow the exercise?

19 MAYOR THOMAS GRIFFITH: Were you on
20 Team Three?

21 MR. AL MANN: Huh?

22 MAYOR THOMAS GRIFFITH: Were you on
23 Team Three?

24 MR. AL MANN: Yeah. I mean, we
25 didn't agree with what we said, but we did it.

1 MAYOR THOMAS GRIFFITH: Well, I was
2 hoping that TVA could get us some vests for you-all
3 to wear in case somebody might mistake us for
4 you-all. They might not have heard that last
5 sentence that Jimmy said there which was so apropos
6 and adequate.

7 MS. JULIE HARDIN: So much for your
8 team.

9 MR. JAMES CREIGHTON: It's kind of in
10 the nature of advisory groups to push back anyhow.
11 So, I guess, we're beginning to get it. We should
12 have one more group.

13 MS. ANN COULTER: I'm going to go to
14 our flip chart because we -- we actually only had
15 four folks in our group. There was not a fifth
16 number four, so I think that missing person is
17 actually who was volunteered to present.

18 MR. AUSTIN CARROLL: And we were
19 supposed to use these flip charts, too, you know.

20 MS. ANN COULTER: So we did. And I
21 insulted Austin's handwriting, so I had to do the
22 report. We had -- our group had No. 4, and this was
23 Austin, myself, Paul, and Herman, and with Gary's
24 able help with TVA, who we were almost playing
25 charades with. He would kind of sort of hint to us

1 what question we needed to ask, but he made us work
2 at it.

3 Anyway, our No. 4 says that we were
4 to maximize the amount of navigation flowage that
5 can be obtained from the system, and I think we
6 spent about three-quarters of our time trying to
7 figure out just what that was and how you would do
8 that.

9 Once we decided how you would do
10 that, it was pretty clear that the impacts to the
11 other aspects of the system were negative and
12 possibly even more negative than the computer model
13 indicated. Of course, we fussed a little bit about
14 the computer model because we felt like -- of
15 course, we only had one screen, just no more than
16 you could put on one screen, and it some ways that
17 was a little simplistic and in some ways maybe even
18 inconsistent in terms of how it projected the
19 various impacts would be.

20 We said that navigation, maximizing
21 the water flowage, meant that we would move more
22 barges basically, more commodities, more raw
23 materials up and down the main channel, and that
24 this would really, only from the standpoint of
25 benefits, impact the main channel and main channel

1 users. Of course, the system is larger than that.
2 We realize that the deeper the channel, the wider
3 the channel, the more barge traffic you could
4 accommodate.

5 We talked a little bit about the lock
6 system. It really doesn't help you to increase the
7 flowage so you can have more barge traffic if at
8 every dam you still can't get enough barge traffic
9 through, and there are still some dams, Chickamauga
10 being one, that is considered substandard from that
11 standpoint.

12 We realized that was not our
13 assignment, it was just to maximize the flowage, so
14 that's what we dealt with, which basically means
15 more water all year-round in the main channel. So
16 when we looked at the impacts, of course, the
17 navigation impact of that is that you improve
18 navigation. You increase the amount of goods that
19 can flow up and down the river.

20 Did any of the group want to add
21 anything on that? We spent an awful lot of time
22 talking about that one.

23 Okay. Then we looked at the flood
24 control impact, which according to the computer
25 model, was the thing that was most negatively

1 impacted. Basically if you have higher -- more
2 water in the channel all year-round, then you
3 increase the incidents of floods, that's basically
4 what happens, you're going to have more flooding.

5 We also realized that some flood
6 control would be necessary, even given that case,
7 because you can't move barges in floods. So you
8 would have to have some bit of control, but that
9 definitely was the most negative impact. And it
10 impacted other things, like land use and so forth.

11 Impact on land use: The computer
12 model indicated that if you increase navigational
13 flowage you would improve land use, and we took a
14 little bit of issue with that because, for one
15 thing, if you increase the incidents of flooding,
16 then you -- for the most part you probably
17 negatively impact land use. So we kind of debated
18 that one among ourselves. Farm land would be more
19 often flooded. You would probably improve waterfowl
20 habitat and maybe some other types of natural
21 habitat.

22 There was discussion of archeological
23 sites, which would not be exposed as much if there
24 was not as much draw down, if there was just more
25 water in the channel all the time.

1 Impacts on power supply: We had a
2 little bit of debate on that one, too, because the
3 computer model indicated that your power supply
4 potential would be reduced because it would reduce
5 the amount of water available for cooling nuclear
6 plants and steam generator plants, and we couldn't
7 really figure out how that would be the case. So
8 maybe we needed a little more technical assistance
9 than we got on that one. So we -- while the
10 computer model indicated it would hurt power supply,
11 we remained a little bit unsure of that one.

12 Austin, did you want to add anything
13 to that one?

14 MR. AUSTIN CARROLL: Of course,
15 you're not releasing as much through the turbines
16 when you want to release it, so the --

17 MR. JAMES CREIGHTON: Austin, could
18 you use your mic?

19 MR. AUSTIN CARROLL: All right. You
20 wouldn't release as much water through the turbines.
21 You would be trying to hold a steady state, and
22 therefore, you wouldn't get the full value of the
23 water as far as generating, which would have an
24 increasing effect on power cost.

25 We were a little uncertain on the

1 water flows as far as cooling water for the
2 generators at nuclear plants and steam plants, but
3 we think that they're probably looking at the Delta
4 T, upstream versus downstream, and if you're holding
5 it at a steady state, then it could have a negative
6 impact, whereas, you -- but in general you would
7 have more water out there. So we'd probably need
8 more technical expertise on that, too.

9 MS. ANN COULTER: Recreational
10 impact, is that more water in the channel more of
11 the time, you would have probably more recreational
12 opportunities, that was fairly clear, more
13 opportunities for boating, for hunting, fishing
14 kinds of uses of the system.

15 Water quality impact is that it would
16 probably improve to some degree water quality, may
17 dilute pollution, of course, that doesn't reduce the
18 pollution that maybe moves the problem a little bit
19 somewhere else.

20 We didn't really come to a conclusion
21 about what that would do to aquatic plants,
22 particularly the ones that are invasive and not
23 native to the system. This was running down to
24 about our last five minutes, I think, but that
25 generally water quality would improve as more water

1 moved through more of the system.

2 Again, understood if regulations were
3 followed that there would probably not be
4 significant amounts of pollution produced by the
5 additional barge traffic but probably so with the
6 additional recreational traffic that would result.

7 I think that's our list. In terms of
8 general conclusions, I think we learned a lot, but
9 we realized how much we didn't know, and that the
10 whole system is probably a lot more complicated than
11 we appreciated before we started.

12 MR. JAMES CREIGHTON: Any questions
13 for Ann or that group? Any general comments you
14 want to make having heard the reports or
15 participating in the exercise?

16 Okay. If not, Mayor, it's back to
17 you ahead of schedule.

18 MAYOR EDDIE SMITH: Let's give Jim a
19 hand. Good session. What I think we should do, if
20 anybody disagrees with this, you can let me know,
21 since we're running a little bit ahead of schedule
22 we can move on to our first item for this
23 afternoon's session. Any problem with that?

24 That is -- we're dealing with the
25 Advisory Committee Council itself and enacting the

1 Charter, and a key issue, of course, is to try to
2 define the sub boards so that we know which topics
3 come under the purview of this Council and which do
4 not.

5 As a starting point, I have asked
6 Barry Walter to give us a quick overview of FACA and
7 the Charter, and then you can ask questions and we
8 can discuss the scope of the Council's subject
9 matter.

10 Barry is Assistant General Counsel
11 for TVA and was the attorney who drafted the Charter
12 Council, Council Charter.

13 Barry, would you take over at this
14 time and tell us about that?

15 MR. JAMES CREIGHTON: He's going to
16 take my seat.

17 MAYOR EDDIE SMITH: Okay.

18 MR. BARRY WALTON: I'm trying to
19 figure out where my notes would fit best with my
20 zoom lenses that I have to use these days.

21 How is this?

22 I am sure the Chair had planned my
23 remarks for the dead time right after lunch since
24 this is by far, I'm sure, the most boring part of
25 the agenda, but I am happy to talk to you when you

1 still have a high energy level.

2 The -- I am not going to try to give
3 you the entire Federal Advisory Committee Act
4 lecture. There's a two- or three-day training
5 session that some of us has had the privilege of
6 going to in Washington. For your interest, I can
7 provide further information if you have questions.

8 For those of you on the web, there is
9 a very fully stocked website that the General
10 Services Administration has on Federal Advisory
11 Committee Act issues. They have got legal opinions,
12 court cases, regulations, proposed regulations,
13 little summary documents, examples of charters, that
14 we can get you the web address to if you ever feel
15 the need to follow up on some of these things.

16 Let me just give you five to ten
17 minutes of the kinds of things that I thought were
18 interesting. The Regional Resource Stewardship
19 Council is an advisory committee established
20 pursuant to the Federal Advisory Committee Act of
21 1972.

22 Now, this Act is often talked about
23 as something that was designed to encourage public
24 participation, but if you go back and read what was
25 said at the time, their focus more was on abuses and

1 putting limits and things on some of the practices
2 they saw going on.

3 It was basically enacted to combat,
4 fight the secrecy, wastefulness and unbalanced
5 representation that Congress felt was typical of
6 many of the committees that were advising the
7 Federal Government at that time.

8 And the other purpose was to ensure
9 that advisory committees are purely advisory and
10 that all actual decisions are made in accordance
11 with law by the federal official or the federal
12 agency that's charged with that responsibility.

13 As to secrecy, the Federal Advisory
14 Committee Act invites both public and congressional
15 oversight. The establishment of the advisory
16 committee and a notice of every meeting of the
17 advisory committee must be published in the Federal
18 Register. All the meetings are open to the public,
19 as you see here.

20 There is a provision for the head of
21 the Agency to close limited portions of meetings to
22 the public, but that's clearly an exception and it's
23 not the paradigm, the paradigm is open meetings.
24 There's a public available charter that I will get
25 back to that's prepared that explains what the

1 Committee's business is, and it's filed with the
2 congressional committees that have jurisdiction over
3 the Agency. So the House and Senate committees that
4 have jurisdiction over TVA, we filed that Charter
5 with them, and the Federal Advisory Committee Act
6 invites them to make a continuing review of all of
7 the advisory committees that are under their
8 jurisdiction. So we may not hear from them, we
9 probably won't, but they certainly -- that's part of
10 their job is to exercise oversight over you and us
11 in our dealings with you.

12 All minutes and records of the
13 Committee's actions are, of course, open -- are made
14 available to the public.

15 As to wastefulness, the second thing
16 I said the committee -- Advisory Committee Act was
17 aimed, advisory committees are only to be
18 established when they are deemed to be essential by
19 the Agency. They cannot duplicate the mission or
20 the charter of another advisory committee. They
21 must be terminated as soon as their purpose is
22 achieved.

23 The Charter has a limited period of
24 life, a maximum of two years, and then it must be
25 rejustified by the Agency for the Council to extend

1 for another two years.

2 The Agency can't start an advisory
3 committee on its own. The Charter has to be
4 approved by the General Services Administration and
5 under an executive order by the Office of Management
6 and Budget, and in the case of this particular
7 committee, that took a long time.

8 OMB and GSA have the responsibility
9 for making sure that the overall number of advisory
10 committees in the Federal Government are kept to the
11 minimum that they consider absolutely necessary.

12 The third point that was emphasized
13 in the original enactment of the Federal Advisory
14 Committee Act was the need for balance and the
15 advice and representation, and the phrase in the Act
16 is that the committee must be fairly -- or the
17 membership must be fairly balanced in terms of the
18 points of view represented and the functions to be
19 performed by the advisory committee, which is
20 another way of saying, I think that if you're -- if
21 the object of the committee is to -- is to advise
22 you on a food and drug issue, you look at the
23 balance of the points of view from the kinds of --
24 with recognition of the kind of problem that that
25 Council or that committee is going to be dealing

1 with, and you wouldn't put the same -- you wouldn't
2 be achieving the same balance on every conceivable
3 committee.

4 To meet this requirement, Dr. Jackson
5 went over the provisions in our Charter about how
6 the governors in each of the valley states were
7 asked to nominate a member and how many of the other
8 interests that you people represent were put in the
9 Charter to achieve balance and to comply with that
10 requirement.

11 On the relationship, the purely
12 advisory nature of the advisory committee, the
13 Advisory Committee Act establishes that every
14 committee must have a designated federal officer.
15 Now, she may look friendly and she may look
16 harmless, but she's endowed with extraordinary
17 powers by the Federal Advisory Committee Act.
18 Without her you are just a group of private
19 citizens.

20 No advisory committee may conduct any
21 meeting in absence of the DFO or her designee. No
22 advisory committee may hold any meeting except at
23 the call of the DFO and with an agenda approved by
24 the DFO. The DFO can adjourn the meeting on the
25 spot whenever she determines it to be in the public

1 interest. She could adjourn me on the spot right
2 now. And all of this goes to the point that the
3 product of the committee is advisory -- is advice,
4 and the decisions are still inside the government.

5 The other point I wanted to get to
6 was the mission in the Charter, and the part -- I
7 mean, I encourage you-all, if you haven't already,
8 to read the entire Charter, it's only two pages, but
9 in the -- near the bottom of the first paragraph is
10 where we tried to explain what we thought the
11 business of the Council is going to be.

12 And I will go over that. Maybe we
13 use code words a little bit that only we understand
14 inside TVA, but I hope we used English. These are
15 the words that I think as the Council does its work
16 you may want to return to from time to time and
17 think about.

18 The substance of your interest or of
19 your assignment is natural resource stewardship.
20 The Charter says that you are to provide TVA advice
21 on our stewardship activities and the priorities
22 among completing the objectives and values, and then
23 it says that our stewardship activities include the
24 operation of the dams and reservoirs,
25 responsibilities for navigation and flood control,

1 and the management of lands in our custody, water
2 quality, wildlife, and recreation.

3 This is a very broad statement of
4 purpose. It's more, I think, than the committee can
5 possibly deal with in a reasonable amount of time,
6 but it does not cover everything that TVA does. The
7 Charter is basically talking about the types of
8 activities that used to be funded by Congress with
9 appropriations, with taxpayer dollars, and that now
10 we've transitioned to the use of power funds, rate
11 payer dollars for those activities.

12 Of course, even though those aren't
13 themselves power activities, now that they are paid
14 for with power activities, means it's interrelated.
15 If the Committee begins to deal with a proposal you
16 will probably also need to deal with the
17 implications and the trade-offs involved in paying
18 for that proposal.

19 These other issues are very important
20 to TVA, they are also very important to you in the
21 valley and in much need of public input, but they
22 are not the ones necessarily that are directly
23 targeted by the Charter.

24 Some of the things I heard this
25 morning, examples, utility restructuring,

1 something -- a great deal of public interest in
2 that, and it may get into some of the issues that
3 you're dealing with, but it was not what we had in
4 mind when we said stewardship activities, natural
5 resource stewardship activities.

6 Our economic development program is
7 another thing that is outside of our stewardship
8 activities, but you may discover interrelationships
9 that get you into some of those -- some of those
10 policies and issues. Our power contracts with our
11 distributors would be another issue that's not a
12 natural resource stewardship activity.

13 Some of the things that are very
14 environmental in their effects, like our air
15 pollution compliance program at our coal fired
16 plants, that historically has been a power activity
17 in TVA, not a stewardship activity. So that wasn't
18 what we had in mind when we invited you to look at
19 natural resource stewardship activities. It's not
20 the target, I suppose.

21 I think though that -- just to repeat
22 a little bit more, as you get into the issues that
23 you will be dealing with, you will find that there
24 will be trade-offs throughout the TVA program and
25 you may find yourselves needing to broaden your

1 inquiry.

2 But I hope that as you begin to work
3 on your priorities and establish your priorities,
4 pick the topics that you're going to go forward
5 with, that you return to the Charter and look at the
6 words that are there. Those are the words that we
7 came up with when we tried to formulate what we
8 thought we needed your help on, and I hope the
9 Council finds those words to be empowering and not
10 limiting and that they get you to the place that you
11 want to go. That's all I had to say.

12 MR. PHIL COMER: Barry, I think it
13 would be -- can you hear me?

14 MR. BARRY WALTON: Yes.

15 MR. PHIL COMER: I think it would be
16 good for the observers, in particular, to be made
17 aware of by you that all the members on this Council
18 are serving without compensation. Under the law in
19 1972, it may be one way or the other, but in this
20 case the -- I think it's important to realize, for
21 the public, in general, everyone is serving without
22 compensation. Travel reimbursement is allowed in a
23 very restrictive fashion, I have discovered.

24 MR. BARRY WALTON: No more than we
25 get ourselves as TVA employees.

1 MR. PHIL COMER: I was very favorably
2 impressed with that fact. If people think TVA is
3 wasting money on their travel policies, they really
4 are not. It's pretty restrictive.

5 MR. BARRY WALTON: I think that's a
6 very good point. The members of the Council are not
7 paid employees. They are not special government
8 employees. They are volunteers. As Mr. Comer said,
9 they receive no compensation, though they do have --
10 modestly have their travel expenses reimbursed, in
11 accordance with normal federal standards for
12 reimbursing travel expenses of employees.

13 And I think, you know, the folks
14 here -- although, this is just the first meeting,
15 and I don't know how often you will meet, I
16 anticipate sacrifices will be required of you to
17 keep up this work, and TVA is very grateful and I
18 think the public should be very grateful for what
19 you have volunteered to do.

20 MAYOR EDDIE SMITH: Do we have other
21 questions of Barry? Yes.

22 MS. JULIE HARDIN: It might be well
23 to announce also to our public here that we are
24 going to meet in April, May, and June.

25 MAYOR EDDIE SMITH: Okay.

1 MR. BARRY WALTON: I knew that was on
2 your agenda to discuss your future meetings, but I
3 didn't want to anticipate that.

4 MS. JULIE HARDIN: Okay. That's
5 fine.

6 MAYOR EDDIE SMITH: We will do that
7 this afternoon, but we plan to have -- the group has
8 to make these decisions but this is what we're
9 suggesting. We will go through that this afternoon
10 and tell you how many times we should be meeting
11 initially.

12 Do we have other questions?

13 One of the things that I found out
14 when I was listening to Barry today, as well as last
15 week when we talked with him, is that our role is
16 really advisory, strictly advisory, and I think it's
17 important for us -- the chances of us getting better
18 consideration for what we recommend would be that we
19 reach a consensus.

20 So consensus is going to be an
21 important aspect of what we do. Otherwise, we may
22 just be meeting and talking if we are not able to
23 get to some consensus. So that's going to be a
24 major goal that I see that we need to do as we work
25 through this process.

1 Then the other thing is there's some
2 guidelines that we operate within, and basically I
3 think Barry has spelled those out, but could you
4 kind of one, two, three, the scope of things that we
5 have been assigned to do?

6 MR. BARRY WALTON: First, let me say
7 that you made me think of something I should have
8 said earlier, the topic I was asked to talk about,
9 sort of the legal framework is full of negative
10 messages and full of keeping you in the box in a
11 sense, and that's the way the law is set up, but
12 that's not the TVA message to you.

13 That's only part -- explaining to you
14 what the law is is only part of the message, but
15 what you have heard from our directors from and from
16 Dr. Jackson this morning is the message that we want
17 to leave you with, which is how much we want from
18 you, not how little, not how we want to keep you in
19 the box, but instead, how much we want to encourage
20 you to grapple with the issues that are important to
21 us.

22 The one, two, three, of the things
23 that, I think, are at the centerpiece of what we
24 will be struggling with are the operations of the
25 rivers, the lands around the rivers, and then the

1 implications of beginning to fund those activities
2 with power funds rather than appropriated funds.
3 And then from there, I don't know where that inquiry
4 might take you or which aspects of river and dam
5 operation, but that's the universe we're living in
6 now. And Kate, do you want to -- guess not. I
7 guess that's what I will leave you with.

8 MAYOR EDDIE SMITH: Okay. Do we have
9 other questions?

10 DR. PAUL TEAGUE: I have a question.
11 No. 1, I don't know -- what does TVA want out of us?
12 Okay. Or Mr. Walton, what do you-all want us to do?

13 No. 2 is, we're representatives for
14 the public. We're asked to advise you. To do that,
15 we need to know what the problems are. What is
16 TVA's biggest complaints from the public in land
17 use, in electricity, where the problems are? Show
18 us some of those problems, let us make decisions as
19 far as our recommendation.

20 Again, as my opening statement, it's
21 our responsibility to develop communication,
22 communication, communication from TVA to the public
23 or consumers and communication from the consumers
24 back to TVA, and to make those recommendations I
25 would like to know where the biggest problems are.

1 MR. BARRY WALTON: Some advisory
2 committees are set up with very specific questions,
3 like, should marijuana be legalized? We don't have
4 a specific question, or at least we have not
5 developed one so far.

6 Instead, we have developed a broad
7 mission, and I think -- I mean, eventually before
8 you can actually do work and begin to deliberate and
9 deliver a report to us, you're going to have to
10 identify -- or a specific question or problem is
11 going to need to be identified.

12 What I am thinking and the way we
13 started out with this meeting today and the kinds of
14 background discussions and the listening that we're
15 doing is that we don't want to develop our list of
16 questions and assignments in a vacuum, we want to do
17 it in a conversation with you. I mean, I don't
18 believe -- I don't -- there's not a decision,
19 there's not a list that we already have.

20 DR. KATE JACKSON: I will add to
21 that. I think one of the things that I look for you
22 to do is represent issues to each other. One of the
23 things that TVA has had a historic difficulty in
24 doing is to each constituent we would represent the
25 tensions that their needs drive on every -- every

1 other user's output of the system, and I will give
2 an example of that.

3 If you are talking in the tributary
4 areas at this time of year, reservoir levels, of
5 course, are very important, and we find ourselves
6 talking about the reasons that we operate that
7 system to keep Downtown Chattanooga dry, so there
8 are flood control issues, to keep the channel deep
9 for the navigation interests, to keep power costs
10 low, either for cooling of the thermal units or for
11 use of hydropower for peaking. So we represent all
12 of those issues ourselves to one constituency group.

13 Whereas, we go to the other end of
14 the system and talk to them about their need for
15 more flow for navigation or cheaper power and we
16 have to represent the issues of either flood storage
17 or recreation levels in the early part of the
18 summer.

19 In both of those situations what
20 happens is it looks as though TVA is making
21 arbitrary and capricious decisions and hiding those
22 decisions behind, oh, well, we had one person over
23 there who needs this, so just hush, we will take
24 care of you.

25 In this -- in this arena you-all will

1 represent all of those issues to each other, and
2 then it's not obfuscated by the fact that I am
3 standing in the middle, it's the fact that we all,
4 as a group, as a region, have to discuss the tension
5 on the molecule, as Bill Robertson said last night.
6 So it's how do we all discuss the fact that each one
7 of you around the table want that same drop of water
8 in different spots on different days.

9 So my expectation is that we will, as
10 a group, come to a point where we understand the
11 balance and then be able to represent the need for
12 that balance back to our constituency groups, and
13 then get those constituency groups, in turn, to
14 communicate better with this group on how those
15 expectations have changed over time.

16 TVA has not run this system the same
17 way for 67 years. It has changed. And the reason
18 it changed is because the needs and the expectations
19 of the public has changed.

20 As the economy has grown and as
21 growth rates have changed in different parts of the
22 valley, water is needed in different places. Land
23 use needs have changed and tensions have changed.

24 As those tensions change, as more
25 people move in, the bark increases. Okay. Auh, you

1 fixed floods, let's move on to something else.
2 Let's move on to navigation, auh, you fixed
3 navigation, let's move on to power. Auh, you've got
4 power, what we want is aquatic habitat enhancement,
5 what we want is better recreation levels, what we
6 want is prettier scenic value of the land where we
7 live, that bar goes up, that's a good thing.

8 What that makes us do is think again
9 and again about how to manage, but we don't have all
10 the answers, and we don't have a clear understanding
11 and consensus of what the needs are for that system.
12 This is the vehicle to get that.

13 So my expectation is a really high
14 one, that you will represent all of those needs out
15 there and come in here and begin to tell us, do we
16 have a clear picture of what the balances and the
17 trade-offs need to be, no. 1. Have they changed
18 over time, no. 2. How can we begin to think
19 differently about how we operate the system to meet
20 those or at least step toward meeting those over
21 time, that's the third.

22 And as to your second question about
23 the problems to address, what are the biggest
24 complaints, I keep talking about balance. I would
25 say all of the complaints are about balance, that's

1 an easy way to say, there's only one, but there are
2 a myriad of complaints. It's reservoir levels.
3 It's power costs. It's minimum flow releases for
4 aquatic habitat. It's cold water for fisheries.
5 It's cold water for power rates. So it's all of
6 them, but it all comes back to balance.

7 So I don't think I can give you -- I
8 can't give you these three, go fix them, but what we
9 can do is begin to explore this issue of balance.
10 And I understand Group Number One's reluctance to
11 maximize, but let me tell you, people out there want
12 you to maximize, and on different days they want you
13 to maximize different things, oops, the water is
14 gone.

15 The problem is this water that we're
16 managing doesn't stay in one place. If it did, it
17 would be much easier. So what you wrestle with is,
18 as the year goes on, as that cycle changes, we need
19 to be very responsive. So what I need is us all to
20 investigate that balance, and then all of the
21 secondary and tertiary implications that there are
22 in different balances.

23 I know that didn't -- I didn't give
24 you a one, two, three, it's not multiple choice, but
25 I think it's a process through which we will explore

1 what the issues are.

2 MAYOR EDDIE SMITH: Okay.

3 MR. AUSTIN CARROLL: Given all of
4 that, I guess, you know, I am sitting here thinking,
5 well, now is TVA going to -- you know, and I
6 appreciate all of the material and, you know,
7 certainly reading all of that stuff will help, but
8 it seems like we have got -- the Council needs to
9 get to more of a common level of understanding of
10 all of these issues and different parameters that
11 we're supposed to be concerned with.

12 Now, are we supposed to ask TVA to,
13 you know, take us out to a dam and show us how that
14 works or are you-all already structured to provide
15 some sort of education on each one of these
16 different items that we're to be concerned with as
17 far as resource stewardship?

18 DR. KATE JACKSON: We are prepared to
19 do what you ask us to do, and we will -- we will
20 provide some encouragement with respect to, here are
21 some of the things you can think about. And many of
22 you have already spoken with me about, I would like
23 to see a dam, I would like to see a lock, I would
24 like to see the brown ring around the tributary
25 reservoirs at this time of year.

1 I have a lot of suggestions, and
2 maybe that's one of the things we can do with some
3 of the extra time we have is begin to brainstorm
4 some of the educational opportunities that there are
5 or some of the things that you-all would want to
6 learn. Many of you know much, but I think none of
7 us knows enough about the whole thing. So I think,
8 you know, sort of leveling the understanding of
9 everyone around this table with respect to all of
10 those issues, we look forward to that opportunity.

11 And, you know, think back to what
12 Bill Robertson said, demanding transparent data,
13 demanding good information. There will be times I
14 foresee when you may want to request a non-TVA
15 person coming to talk with you about some of those
16 issues, and there are opportunities for that, too,
17 you know, maybe a national flood control person or,
18 I don't know, investor owned utility person, heaven
19 forbid, but there may be -- there may be times when
20 you want a different perspective, and you also have
21 that opportunity to call on us to help provide other
22 experts.

23 MAYOR EDDIE SMITH: Okay.

24 DR. STEPHEN SMITH: So I am hearing a
25 need for two things. It sounds like there's a need

1 to identify some of the issues that we feel are
2 front and center, and then TVA may supplement that
3 if they see gaps, I guess, and then based on that
4 looking for educational opportunities so that we can
5 become equipped to confront those issues.

6 It sounds like there's two different
7 brainstorming activities that need to happen, and I
8 would suggest that possibly the issue that more than
9 obviously logically comes first is to try to maybe
10 put some issues on the table that some people would
11 be interested in possibly addressing and then there
12 may be others that are brought to our attention
13 either through the public or through TVA's having
14 wrangled with a number of these things over time.

15 MAYOR EDDIE SMITH: I think that some
16 of these we will get into this afternoon. We have
17 done a survey, and that's on our schedule to get
18 feedback from that this afternoon and come to some
19 of the issues that have been identified.

20 I think what we were trying to
21 accomplish this morning with Barry is to make sure
22 we understand the legal implications and the
23 structure that we have to operate within, and then
24 this afternoon we will get into more organizational
25 kinds of things where we can really be able to set

1 the issues that we want to do.

2 I think what they are really saying
3 to us is we have to identify and bring the problem
4 to the table ourselves and then try to work within
5 the framework that we have been given to do that. I
6 think that's part of our responsibilities, and
7 that's the exciting part about it to me is that's
8 what we will get a chance to do, rather than them
9 telling us they want us to go out here and solve
10 this problem or solve that problem. So that's kind
11 of the scope of things, as I understand it.

12 Do we have any other questions?

13 Yes, Herman.

14 MR. HERMAN MORRIS: It's not quite a
15 question, and I appreciate General Counsel's kind of
16 framing of the mission or responsibility in the
17 Charter of this group. My sense is that the world
18 changed significantly when the stewardship
19 responsibilities became something that was funded by
20 our customers' utility bills, and this might have
21 been something that should have been in the works or
22 going on all along, but it certainly, in my view,
23 became something that ought to go on now because
24 folks ought to have some better appreciation of what
25 they are being asked to pay for now.

1 It's not in the best interest of TVA
2 even to say it should be business as usual because
3 it has created an additional constituency that's
4 going to comment on whether or not that even ought
5 to be continued or if it's continued it ought to be
6 paid for by them.

7 And so I think the discussions are
8 good, but getting to the point, we can say that
9 we're not talking about power or economic
10 development or contracts or deregulation, and they
11 aren't stewardship issues directly, but since we
12 have got a constituency of folks that are paying for
13 these stewardship activities and since they are
14 impacted by power costs and deregulation and
15 contracts and economic development issues, it would
16 seem to me that that whole kettle of fish is
17 either -- is on the table, either on the first plate
18 or the side dish, but sooner or later we will have
19 to dive in and begin to consider those issues.

20 DR. KATE JACKSON: And let me just
21 comment on that. Your point is extremely well
22 taken, and I think one of the reasons that we don't
23 have a list of questions, the way many advisory
24 councils do, is because this group was instituted
25 because the appropriated programs were not funded by

1 Congress and because there is that disassociation of
2 oversight from the Congress because of that lack of
3 appropriations that we believe a greater degree of
4 public input was needed and appropriate and that's
5 why it's more programmatic in nature, but your point
6 is very well taken.

7 MAYOR EDDIE SMITH: Okay. Do we have
8 any more questions?

9 DR. STEPHEN SMITH: Can I ask Barry a
10 clarifying or maybe you could get -- in the concept
11 of the Charter can you elaborate a little bit on
12 what ability we have to bring more people into the
13 process through committees or what -- I mean, is
14 there any constraints, anything legally that we need
15 to -- because there's a lot of work to be done.

16 My sense is that everyone around this
17 table is very busy and there are probably a set of
18 other people that have valuable input that we could
19 potentially incorporate into this, and I think it's
20 important to look at opportunities on how to do
21 that.

22 MR. BARRY WALTON: Yes, there's the
23 opportunity for subcommittees. I guess there's two
24 types of things that I need to clarify. One type of
25 thing that might happen is as you develop work with

1 a particular issue, the Council may assign several
2 of you to go out and develop a draft recommendation
3 and bring it back for a deliberation at the next
4 Council meeting. Let's just call that a work group
5 or something like that.

6 Then in addition there could be
7 formal subcommittees that the Charter says TVA is
8 the one that would set those up, but obviously you
9 would be free to recommend them or begin to shape
10 that discussion. And those subcommittees would not
11 themselves be advisory committees because they will
12 not be giving advice to TVA, they will be giving
13 advice to this Council, and then the Council will
14 have to deliberate and decide what advice to give to
15 TVA. Those subcommittees could consist entirely of
16 people outside of this room or they could be a
17 combination of Council members and new people.

18 I guess an issue I have thought
19 about, not a legal issue obviously, is the
20 availability of the subcommittee mechanism I hope
21 does not become a safety valve that every time the
22 Council starts having trouble with something, oh,
23 let's establish a team to deal with that. So I am
24 kind of hoping you don't jump into that too fast,
25 but that's just my personal preference.

1 MR. BRUCE SHUPP: I'd like to share
2 some experiences that I have had with another fact
3 advisory committee, The Sport Fishing and Boating
4 Partnership Council, that uses subcommittees
5 extremely effectively.

6 And they -- the subcommittees have
7 literally done the work for the Council. The
8 Council is 18 people, mostly executives of sport
9 fishing or companies or boating companies or
10 directors of state fish and wildlife agencies,
11 that's the type of people on that council. They are
12 busy people. They are not participating actively on
13 the subcommittees, although they chair the
14 subcommittees.

15 There are -- we have had as many as
16 two subcommittees working on national issues at one
17 time, but normally we're -- that council has been
18 single focus and we have done things like a national
19 plan to promote sport fishing and boating, which has
20 been funded by Congress to the tune of \$36,000,000.
21 We have developed a national policy to eliminate
22 conflicts between endangered fish management and
23 sport fishing, primarily in the western part of the
24 country. We have developed the national
25 recreational fisheries plan with the federal

1 agencies that manage fisheries. So it's been a very
2 effective council working through the subcommittee
3 process.

4 I would think that that would be the
5 potential for this Council to identify issues common
6 to members of our Council and common to TVA that we
7 would say, that is an issue, it's a touch issue,
8 whether it's a tributary lake level issue or whether
9 it's a stewardship issue downstream and then assign
10 a group, appoint people from outside of this Council
11 to work on it. And I see people like state and
12 federal agency people, university people, utility
13 people, working on common problems. That's my
14 vision of what subcommittee functions could be for
15 this Council.

16 MAYOR EDDIE SMITH: Okay. Do we have
17 any more questions?

18 We want to take and go ahead --

19 MS. ANN COULTER: I have a comment.
20 I understand TVA's concern with, at least to some
21 degree, circumscribing the role of the Stewardship
22 Council to its existing stewardship activities, but
23 I think any fully responsible discussion of
24 stewardship would really have to include at some
25 point the issue of air quality. I know that's

1 technically outside the list of things that are
2 existing TVA stewardship activities, I think that
3 one would need to be addressed at some point.

4 MAYOR EDDIE SMITH: Okay. Any other
5 comments?

6 DR. STEPHEN SMITH: I would like to
7 reinforce that point. I think TVA had a historic
8 sort of interpretation of issues that largely were
9 driven by what was constituted in 1933, and at that
10 time there weren't 11 TVA coal fired power plants,
11 there weren't a whole host of southern companies and
12 all of these other power plants in the region.

13 And if you look at -- we historically
14 talk a great deal about the watershed, but I think
15 there's also an airshed that we need to do and it's
16 part of the resource, and I know it opens up a whole
17 can of worms, but I think that it would be
18 appropriate to think of that in the context of
19 resource stewardship.

20 MAYOR EDDIE SMITH: Okay. I think we
21 have had a good and busy session this morning, and
22 we will probably continue much of this discussion on
23 this afternoon, because we will get into some of the
24 nuts and bolts of how we're going to go about
25 getting that done.

1 The checkout time at the hotel is at
2 noon. And if you need to get checked out, you can
3 do that, and they can store the bags -- the hotel
4 will store your baggage for you.

5 And unless we have any other issues
6 we need to do before noon, we will take a break and
7 come back here. We'll meet over at Plaza C at 12:00
8 and be back here at 1:00 for the afternoon session.

9 (Lunch recess.)

10 MAYOR EDDIE SMITH: I think that
11 maybe members who want to speak to the Council a
12 little bit later on this afternoon, if you have not
13 filled out one of these cards like this, you may do
14 so, and I believe Kate Marx will have those on the
15 stand outside if you need them, and that will be
16 something we will do later on this afternoon.

17 The next topic we want to talk about
18 is some groundrules for the Council and how it will
19 operate. These are the groundrules the Council will
20 decide to set up. So long as they do not fall
21 outside of the Charter, we can do entirely as we
22 choose to.

23 I met last week with Jim and we sort
24 of drew up a summary or design of suggestions of the
25 rules, and what we mean by that is that with just a

1 little bit of wind it will just blow it down, but
2 hopefully, we will try to give proper consideration
3 to that. We wanted to let you know that you -- that
4 these are our suggested rules and that, you know,
5 they are subject to change. Hopefully, as we work
6 through this this afternoon we will have groundrules
7 that will be suitable for us to operate on.

8 At the same time we need to remind
9 ourselves that, you know, we can make rules. We
10 don't have to make them all or complete them all
11 today, we may have to do some additional rules later
12 on, but basically we have some groundrules with
13 which to do the work on.

14 I have asked Jim to guide us through
15 this process, and the process we will use this
16 afternoon is he will read the groundrule, give you
17 background for it, and then I will entertain any
18 questions or additions or suggestions or discussion
19 that we may have on those, and we will proceed in
20 that manner.

21 Is that okay with everyone?

22 Okay. At this time we will ask Jim
23 if he will go with groundrule No. 1.

24 MR. JAMES CREIGHTON: Well, the
25 first -- there is a tab in your workbook that is

1 labeled groundrules, lo and behold, and it -- give
2 me a little more mic. The first section in the
3 background section really doesn't say anything that
4 hasn't already been said this morning. It goes
5 through the fact that there's a FACA Charter. It
6 lists -- it talks about the fact that the real
7 genesis for the committee was that Congress no
8 longer grants an appropriation and the intent was to
9 provide oversight in an area where there is no
10 longer congressional oversight.

11 And while the Charter provides a
12 general structure as the Mayor just said, the
13 Council can set up its own groundrules within the
14 confines of that Charter. So I don't think there's
15 anything in that, it's just sort of an explanation
16 and background.

17 MAYOR EDDIE SMITH: One of the
18 things, as a comment, the bullets that you see
19 there, we were trying to lay out, as we understood
20 it, what the Charter allows us to do, and I'm sure
21 that there -- I heard this morning there may be some
22 issues that are not within these six or seven items.

23 Are there issues that any of you see
24 that's outside of this that you think that we need
25 to consider, even though it may not be listed?

1 MS. JULIE HARDIN: I think pollution
2 of the air, quality of the air, was mentioned this
3 morning to be added as a bullet.

4 MAYOR EDDIE SMITH: Air quality, is
5 this something we can --

6 MR. JAMES CREIGHTON: Yeah. I guess
7 the question is whether you want to push the point
8 now or whether you want to deal with it when you're
9 ready to deal with air quality. So that's an
10 obvious one. I mean, TVA had in the past defined
11 that as a power issue, and Barry is well aware of
12 the fact that others perceive it as a stewardship
13 issue. I don't know if anybody wants to -- if now
14 is the time to pick a fight or just see how things
15 develop.

16 MAYOR THOMAS GRIFFITH: I think we
17 ought to ride along like we are and hold off on
18 that. We may have our hands full. I think we ought
19 to stay away from that for the time being personally
20 and let's get our feet on the ground here. I don't
21 think -- I think air is a whole new issue really.

22 MR. AUSTIN CARROLL: I would tend to
23 agree. I would think air quality would almost be
24 another two-year council in itself.

25 MAYOR THOMAS GRIFFITH: I agree.

1 MAYOR EDDIE SMITH: Okay. We have --
2 let's see if -- do we have a consensus that we
3 should either -- leave air quality off at this
4 point?

5 DR. STEPHEN SMITH: No, I don't
6 think -- I mean, I understand the complexity of it,
7 and I understand that there are things, but every
8 one of these issues have been going on for a long
9 time, and I think that it is part of the resource.

10 Now, again, I think you can look at
11 each one of these things and you can tear those
12 things apart and there may be some aspects of air
13 quality that we want to grapple with now and there
14 may be some that -- there are clearly some processes
15 in work that -- you know, and it is a complicated
16 issue, but --

17 MAYOR EDDIE SMITH: Could I make a
18 suggestion on this, could we list these as concerns
19 without making them a part of the framework? It's
20 something we will make a notation of and somewhere
21 along the way we will try to find a way to deal with
22 it, would that be acceptable?

23 DR. STEPHEN SMITH: What I would
24 suggest is why don't we list the universe of issues
25 along side here? I mean, there may be others, we

1 don't need to get hung up on air right now, and then
2 let's just look and maybe try to think about
3 prioritizing and have a discussion as opposed to
4 trying to, you know, define what is here at this
5 point. I would be interested to see what other
6 issues are notably absent.

7 MAYOR EDDIE SMITH: Well, legislature
8 is obviously one, which is not on the list, but I
9 thought if we could list the concerns without making
10 them a part of the structure at this time would be a
11 way of us getting in the record the things that we
12 think we need to be working on, and then we would
13 look for a way to deal with it at some point along
14 the way, working with TVA.

15 MS. JULIE HARDIN: Jim, you mentioned
16 that before that was a power issue, the quality of
17 air, and yet, I don't see power issues down here
18 either.

19 MR. JAMES CREIGHTON: Well, because
20 power issues -- the history of this committee was
21 that -- really the framework they had in mind was
22 the resources, and particularly, the stuff that
23 previously had an appropriation.

24 Now, when we get to the part of the
25 agenda where we talk about topics, air quality is

1 well up the list. So, you know, we need to -- my
2 only question is whether we need to fuss with it
3 here or whether we talk about it under topics, and
4 maybe send a message to -- you may want to send a
5 message to TVA and say, look, we think we need to
6 address it, you better be thinking about this.

7 DR. STEPHEN SMITH: Well, correct me
8 if I am wrong, but there probably was a time that
9 TVA, and they still do this, was doing research on
10 at least the impacts of air pollution on land,
11 water, when you have acid deposition in streams,
12 when you have forest impacts, and so that is clearly
13 something that I think has historically had a place,
14 at least the study of the impacts, within the
15 context of what was the non-power program.

16 And so whether that has all been
17 transferred over and is now being funded out of
18 power dollars or whether there is some science,
19 because I know one of the things that needs to
20 happen as part of getting a full appreciation and
21 understanding of the air quality issue is there is
22 some more science that needs to be done and funded
23 on the impacts and sources and other things like
24 that, and, you know, maybe we were not
25 necessarily -- we're only looking at some part of

1 the air equation that would fit into this, in other
2 words, its impact on the resource.

3 MAYOR EDDIE SMITH: It seems to me
4 the procedure -- the only thing we could do here --
5 you understand the structure that we have, and what
6 may be an appropriate thing to do would be to list
7 areas of concern that's outside our purview and let
8 TVA respond to that, and then getting into the
9 technical discussions and details would not be
10 something we would want to do this afternoon.

11 So we had the suggestion of air
12 quality as one item of concern that's not listed
13 here, and what I am trying to find out if there's a
14 consensus of this group that we list that as a
15 concern and take it up at a later time.

16 DR. PAUL TEAGUE: I don't think that
17 anyone has any problem with taking this up, nor do I
18 think that anyone would have a problem of saying
19 that we do have or should have some input as far as
20 power, but I think what Austin is getting to, and I
21 tend to agree is, if you look at this list, and if
22 we do an adequate job, what we have been instructed
23 to do, we have got our plate full already, and you
24 can't -- you know, if you put too much on your
25 plate, then you don't really take care of the things

1 the way they should be, and that would be my only
2 concern is our plate is loaded, if you look at the
3 issues that we have got to address here.

4 MAYOR EDDIE SMITH: Okay.

5 MR. AUSTIN CARROLL: And with respect
6 to Dr. Smith, I think air quality is a national
7 issue, and certainly we have impacts -- you know,
8 negative impacts of air quality here in the valley,
9 and we have sources of air problems that, you know,
10 you might attribute to TVA. However, I don't think
11 you can handle this problem just by TVA alone. It's
12 a national issue. I would think that it would
13 require maybe some kind of national council as far
14 as advising on a national air policy of which TVA
15 would be a part.

16 MS. ANN COULTER: Well, I mentioned
17 the air quality issue earlier, and I can understand
18 why it's not on this list, nevertheless, I -- I
19 think that at some point it will be important that
20 we discuss it.

21 I would be -- I mean, I would be
22 happy with the Chairman's suggestion that it be
23 listed as a concern, so that should that issue arise
24 it doesn't immediately go off the table in the next
25 two years. I think it's an important issue, even if

1 it doesn't cleanly fit into the structure.

2 MAYOR EDDIE SMITH: Do we have a
3 consensus to list it as a concern? Being no
4 objection, I'd assume that we have a consensus to
5 list this as a concern.

6 Are there any other --

7 DR. STEPHEN SMITH: And again, I
8 would want to emphasize because I -- we may not be
9 exactly talking about the same thing because I
10 would, again, emphasize not so much as necessarily
11 dealing with the sources of air pollution, because I
12 think there is a lively national debate going on
13 about that.

14 What I want to make sure is that I
15 think as part of TVA's stewardship responsibility of
16 the resource, there needs to be an emphasis on
17 making sure that there is a process that evaluates
18 and keeps monitoring the airshed that TVA has
19 responsibility for.

20 So that, I think, is a little
21 different from saying, you know, this group is going
22 to recommend that this specific power plant has to
23 do this, which I think is outside of the realm of
24 what we can do, but I don't think it's inappropriate
25 for this group to be involved in looking at how the

1 resource is impacted by air pollution as part of our
2 resource stewardship responsibility, and then how we
3 ultimately deal with that, but I think it is -- it
4 would be irresponsible for a group looking at
5 resource stewardship to basically discount the air
6 pollution impact on the resource.

7 And I think you could come at it from
8 a little different way where you don't have to get
9 into all of the -- you feed into it, but you don't
10 actually get pulled into the larger debate that's
11 going on. It's providing information, it's
12 scientifically documenting and making sure that that
13 resource is protected.

14 DR. KATE JACKSON: Let me give a
15 little background on kind of how this program has
16 worked. I think what Steve is referring to is
17 historically we have done a lot of participation in
18 either national activities or regional research
19 activities that have allowed us to do some
20 terrestrial ecosystem modeling or water quality
21 modeling that would help us understand not -- not
22 source issues but the impact of having those
23 pollutants available, how much plants take up as
24 they grow, what the long-term impacts on those
25 plants are. Those programs are still ongoing.

1 Of course, now they are funded
2 entirely by power revenues, but I don't think that
3 we would have a concern talking about what those
4 programs are, talking about the kind of activities
5 that we perform.

6 I think the concern is that we do
7 want to establish a bright line, if we could,
8 between the activities where we invest in the
9 resource or evaluate the resource or evaluate impact
10 on the resource and how that resource is then
11 limited as opposed to source issues or investment
12 end source. So I think TVA would be comfortable
13 with that, if you would look at impact on either
14 land issues or water issues.

15 DR. STEPHEN SMITH: I mean, you're
16 going to get into it with water quality because
17 obviously there is deposition issues that happened.
18 So, I mean, we're going to get into some of that
19 anyway.

20 You're going to get into it, because
21 depending on how you define land management, if
22 you're looking at forestry, you're going to get into
23 that. So, I mean, I don't think we can get away
24 from it.

25 MAYOR EDDIE SMITH: Okay. I think

1 that we have a consensus on this issue, and there
2 will be a lot of discussion later on, so if I could,
3 I would like to move on to the next topic.

4 MR. BRUCE SHUPP: Mr. Chairman?

5 MAYOR EDDIE SMITH: Yes.

6 MR. BRUCE SHUPP: Could I suggest
7 another issue that we should put on our plate?

8 MAYOR EDDIE SMITH: As a concern?

9 MR. BRUCE SHUPP: Yes, as a concern.

10 MAYOR EDDIE SMITH: Yes.

11 MR. BRUCE SHUPP: That's the
12 equatability of funding for the non-power programs.
13 I think it's within the jurisdiction of this group
14 to do an analysis of comparing other federal
15 agencies' means to address the same problems and the
16 resources they're using to do that, I think that's
17 something we should pursue, which may lead to a
18 funding coup for more appropriated money, I would
19 hope.

20 MR. JIMMY BARNETT: I would second
21 that entirely.

22 MR. AUSTIN CARROLL: I would agree.
23 And I think that in furtherance of that, I think
24 that any recommendations that we come up with for
25 changes that TVA might make in its stewardship plans

1 or whatever should have a plan to go along with it
2 to talk about, you know, how that could be funded.
3 I think that's -- without doing that, it's a little
4 bit like passing a spending plan without a budget to
5 go along with it.

6 MAYOR EDDIE SMITH: Any other
7 discussions on this? Is it a consensus that we add
8 this to the list of our concerns? No objections, so
9 we assume that that's a consensus.

10 Okay. Is there anything else on
11 this? If not, then we will move to Rule No. 2.

12 MR. JAMES CREIGHTON: Okay. This is
13 also kind of background in a sense because we all
14 know that the Council is advisory and this merely
15 reiterates that.

16 My observation is what happens when
17 agencies set up a group like this, they feel obliged
18 to state very clearly, you're advisory, you're
19 advisory, you're advisory, but if they're smart,
20 they then start saying, but we really want to work
21 with you and so forth and so on, because the value
22 of the advisory group is to the extent you have some
23 influence, and if you don't have any influence or
24 you appear to be just a yes committee, as a friend
25 of mine says, if it's not worth doing, it's not

1 worth doing well, and that would definitely apply to
2 advisory committees.

3 So I think that having stated that
4 you're, in fact, an advisory group, the rest of it
5 is, in fact, the three commitments that Kate made to
6 you this morning, which is, first, that when a
7 recommendation is made to TVA, TVA will respond in
8 writing to your recommendation.

9 The second thing is they will not
10 only respond in writing, they will also tell you
11 what they plan to do about it and how they plan to
12 go about it and something about the schedule.

13 And the third one, and this is really
14 an important one, sometimes a council or advisory
15 group will make a recommendation and the Agency has
16 some problem with it, and they start digging in and
17 taking a fixed position and everybody gets all
18 crotchety.

19 My experience is, unless there's some
20 urgency, time urgency, the best thing is for the
21 Agency not to say no, but to come back and say,
22 here's what's giving us heartburn. In that and in
23 many cases I have seen the advisory group and the
24 Agency be able to find some way of accommodating
25 both needs.

1 So the commitment here is if TVA
2 doesn't concur with your recommendation, unless
3 there is a time urgency, the first thing it does is
4 it comes back and says, here's what our problem is
5 with what you're recommending, and you discuss it
6 and do some more problem solving.

7 In the final analysis, if they still
8 conclude they can't -- it can't be solved by mutual
9 agreement, they will respond in writing and give you
10 a clear statement of what -- on what basis they are
11 not accepting the recommendation. I don't know
12 whether you need to do anything about this because
13 it has more to do with the commitment TVA is making
14 to you than a commitment you're making to TVA.

15 MAYOR EDDIE SMITH: Any questions on
16 this issue, discussions? No questions or
17 discussion, then we assume that's a consensus. We
18 will proceed to the next item.

19 MR. JAMES CREIGHTON: The next item
20 is about consensus.

21 MAYOR EDDIE SMITH: Right.

22 MR. JAMES CREIGHTON: And Kate, I
23 think, made the argument early on why, from TVA's
24 perspective, it finds consensus important, which is
25 if you just go in with majority votes they have

1 still got all the grief they had in the first place.
2 They still are going to offend somebody if they go
3 ahead and make a decision and so on. Part of the
4 value of a group like this for the dialogue to take
5 place directly between the folks that have the
6 issues and the interests and not just defer it back
7 to TVA.

8 Having worked with a lot of advisory
9 committees, I would make same arguments from your
10 perspective, which is the payoff for spending all of
11 this extra time you're going to be spending on this
12 is that you have some genuine impact on decisions.

13 If you go to a TVA board and say, by
14 11 to 9 we decided such and such, which under the
15 Charter you have the right to do, the Charter talks
16 about affirmative vote of a majority, but if you do
17 that the Board of Directors is smart enough to
18 realize that the particular composition of this
19 committee, you know, is not magical and perfect and
20 so forth, so that 11 to 9 vote, all it really tells
21 them is that you're badly divided and they are going
22 to have to make a decision anyway. And candidly, it
23 leaves them free to do whatever they please.

24 If you really want to have an impact,
25 go to TVA with, you know, a clear cut agreement from

1 this group, and frankly, they will shoot me,
2 politically it's bloody hard for them to do anything
3 different. So the reason for consensus really is
4 the political reality that the amount of influence
5 you have on the Board goes the higher the level of
6 agreement.

7 Now, pragmatically what we're talking
8 about here or what's proposed here is that instead
9 of taking votes the Chair does as Eddie is just
10 doing, which is to kind of get a sense of the
11 meeting, test it, a behavior that would -- you would
12 need to learn to do with a lot of noddings or huh-uh
13 or uh-huh or something or another because there will
14 be a lot of testing, but we won't be taking --
15 wouldn't be taking formal votes.

16 Now, obviously consensus doesn't mean
17 everybody is uniformly enthusiastic. There would be
18 times you would simply consent because you knew it
19 was the best deal you were going to get and you
20 would be going along with it because you understood
21 the reasoning and so forth and so on. It does mean
22 that if you really don't agree with it, that you
23 speak up.

24 If this committee is unable, as this
25 proposes, if you can't achieve a consensus, meaning

1 the committee is unable to reach an agreement, then
2 the committee needs to decide what it's going to do
3 about it.

4 You could go to minority reports.
5 You could go to have a subcommittee work on it some
6 more, the point being, you grapple with yourselves
7 how you're going to go about trying to get some
8 level of agreement, and you certainly have the right
9 ultimately to vote, just understanding that the
10 political consequences of just having a split vote
11 is you're not going to have as much impact as you
12 would like. So basically that's what it says.

13 The groundrule is you're going to try
14 to work towards consensus. It defines consensus as
15 not being everybody uniformly enthusiastic but
16 people are willing to go along, testing for the
17 sense of the meeting rather than voting, and if you
18 can't reach agreement, agreeing on how you're going
19 to either handle -- either how you're going to get
20 to an agreement or how you're going to handle the
21 disagreement, and one of the options you have
22 finally is you could agree that the best you can do
23 is vote and pass it on.

24 MAYOR EDDIE SMITH: Okay. Do we have
25 any questions or discussions on developing consensus

1 as a means of making decisions in this group?

2 MR. BRUCE SHUPP: Question.

3 MAYOR EDDIE SMITH: Yes.

4 MR. BRUCE SHUPP: I think you're
5 absolutely right that we need consensus for the
6 recommendations, but wouldn't it be more efficient
7 to run the meeting with the Roberts Rules on Motions
8 and Votes to get to an end point doing the business
9 of the Council? Do you think that there's a problem
10 doing that?

11 MR. JAMES CREIGHTON: From my own
12 experience, having watched groups do it both ways,
13 is that you can get so wrapped around do we have a
14 second and so forth and so on that I find it more
15 efficient to say, is there agreement, and get
16 everybody conditioned to that idea and they either
17 nod or they speak.

18 So my experience is that Roberts
19 Rules of Order gets you into a voting mentality, and
20 that once you get into that, you tend to assume that
21 as long as I have the votes I can move on.

22 MR. BRUCE SHUPP: There will be times
23 when we get so-called motions on the floor that will
24 need some order to keep them going.

25 MR. JAMES CREIGHTON: And I suppose

1 if you're voting about which date you're going to
2 meet on, maybe voting is more efficient, but just as
3 the mentality, I find mechanics of Roberts Rule of
4 Order gets you back into a majority vote and that
5 kind of mentality, so that's why I have recommended
6 what I have recommended.

7 MS. JULIE HARDIN: Does this mean we
8 will also have the opportunity to talk with our
9 fellow council members and maybe try to create
10 individually with our fellow council members a
11 consensus or are we just going to be able to do it
12 in this room in this model?

13 MAYOR EDDIE SMITH: It seems to me
14 that certainly if there are issues that you know
15 about and you're trying to work to get the consensus
16 before we meet, so certainly we would encourage you
17 do that among yourselves, but once we get here, you
18 know, maybe we have to recess and do caucuses and
19 all like that if we have got an issue hot enough.

20 But my experience with groups as well
21 is that if you have got a consensus, even with your
22 Board of Aldermen, it's much better than having a
23 vote. So it may take a little bit longer time to
24 get it, but then it creates less problems down the
25 road.

1 MR. JAMES CREIGHTON: But certainly a
2 decision you might make is, look, we clearly can't
3 get a consensus today. There's three of you that
4 have the most heat on this issue. Why don't the
5 three of you do some work and see if you can bring
6 us back a recommendation, you can certainly do that
7 kind of thing.

8 MS. JULIE HARDIN: I see.

9 MAYOR EDDIE SMITH: Any more
10 questions or discussions on using consensus as a
11 means of doing business?

12 Being no further questions or
13 discussions, then by unanimous consent we will use
14 this as a means of making decisions.

15 MR. JAMES CREIGHTON: Accepting we
16 can.

17 MAYOR EDDIE SMITH: Then we will
18 adjoin. Okay. The next item, Jim.

19 MR. JAMES CREIGHTON: The next one is
20 just to try to define what the Chair's role is,
21 serving as meeting leader, helping with the planning
22 of agendas and process decision.

23 Let me make one comment about process
24 decisions. Process matters, because it defines
25 relationships between people, it defines the

1 relationship between the Council and TVA and so on,
2 but my experience is advisory groups spend too much
3 as a whole group dealing with process and they
4 quickly tire of it.

5 I had an advisory group I worked with
6 that insisted that every agenda had to be set by the
7 entire committee, and I remember one night when they
8 had a meeting scheduled from 6:00 to 9:00 and they
9 spent from 6:00 to 10:00 trying to agree on the
10 meeting agenda. This level -- everybody gets fed up
11 and goes home, is what it amounts to.

12 So we're hoping that a lot of the
13 process stuff we can do planning in between and try
14 to keep it acceptable to everyone and so on, but the
15 Chair would play a key role in that.

16 Let me also point out the one below,
17 because it's kind of tied to that, which is in my
18 experience at times until the group is comfortable
19 with it, you may want to have either subcommittee
20 chairs or other people from the Council sit in on
21 meeting planning, agenda planning, and so forth and
22 so on, so that everybody's viewpoint -- everybody
23 feels like their viewpoint was represented and so
24 that those decisions are all transparent and visible
25 to the committee. But the Chair's role is to serve

1 as meeting leader, represent the Council in planning
2 of agendas and process decisions.

3 Since TVA actually has the Charter
4 authority to appoint subcommittees, I am assuming in
5 reality the way it works is you guys decide who
6 you'd like to have in the subcommittee and you ask
7 TVA to put their stamp of approval on it, and the
8 Chair would be the one who would carry that to Kate.

9 To represent the Council to the media
10 or to designate somebody from the Council to serve
11 in this role, and there's some elaboration of this
12 in one of the later groundrules, and to be the
13 spokesperson and advocate for Council
14 recommendations to TVA management, the media, and
15 the public, so this was just an effort to define
16 what we expected of the Chair.

17 MAYOR EDDIE SMITH: Okay. Since the
18 Chair and the meeting process is interrelated, we
19 will discuss these two together and kind of make a
20 decision on this together.

21 So any questions or discussions on
22 either the Chair or the meeting and process of
23 planning?

24 No questions? No discussions?

25 MR. JIMMY BARNETT: I guess I would

1 like to say that I have zero problem with it because
2 I can always raise an objection later on.

3 MR. JAMES CREIGHTON: And ultimately
4 the Council, as a whole, owns the process. So any
5 time you're dissatisfied with the process, you can
6 grab control back, but the idea is to do as much of
7 that stuff offline as you can so the whole Council
8 doesn't spend its time on process stuff.

9 MAYOR EDDIE SMITH: Gentlemen, when
10 we were working on this last week, that was one
11 thing I wanted to make sure, any of you who have
12 ideas that you want to get on to the agenda, please
13 feel free to do so and let us know that. Also, if
14 you're interested in getting involved in doing that,
15 let us know that, because we will be open to member
16 participation.

17 Okay. Any other comments on this, on
18 these two items? If not, then by consensus we will
19 agree to these two items.

20 MR. JAMES CREIGHTON: Okay. The
21 designated federal officer, I don't know that --
22 this is mostly stating what is, which is that TVA
23 has designated Kate, and her job is to make sure
24 that all of the logistic support and mechanics and
25 everything else are taken care of to make sure that

1 the committee is able to work effectively.

2 And as she said this morning, she's
3 the liaison back to TVA management. So if you make
4 a recommendation, she carries it back, if TVA
5 management has heartburn with something, she brings
6 it back, that kind of relationship.

7 MAYOR EDDIE SMITH: Well, any
8 questions about the designated federal officer?

9 MR. HERMAN MORRIS: Well, just for
10 clarification, this body is an advisory group to
11 TVA, and we're defining TVA, it's either Kate,
12 management or Board or is it all of the above? I
13 mean, when we do whatever we do and say whatever we
14 say, are we speaking to you, management or the Board
15 as TVA?

16 DR. KATE JACKSON: You will provide
17 your advice and recommendations to me and then --

18 MR. HERMAN MORRIS: Well, that
19 answers it.

20 DR. KATE JACKSON: Okay.

21 MR. JAMES CREIGHTON: But it's her
22 job to take it to all of those other folks, unless
23 she's able to just make the call on her own. As I
24 said, the FACA, the Federal Advisory Committee Act,
25 defines that there will be a designated federal

1 officer, and this is more just stating the fact who
2 it is.

3 MAYOR EDDIE SMITH: I guess by
4 consensus we will accept that. Okay.

5 MR. JAMES CREIGHTON: The next one, I
6 guess, for the moment at least, is about me. My
7 background is in meeting and group process, and I
8 have worked my way through several hundred public
9 participation programs and 20 or 30 advisory
10 committees.

11 My job is to provide support to the
12 meeting and planning, to working with the Mayor and
13 whoever else is involved in setting the agendas,
14 trying to coordinate with TVA about process issues,
15 and so on.

16 And while TVA has retained me, I am
17 fairly clear on the notion that if the Council or
18 the Mayor becomes either convinced I am not adding
19 value or becomes dissatisfied, I will assume I will
20 be down the road.

21 MR. PHIL COMER: Jim, can we vote on
22 that or will it be consensus? Thank you.

23 MR. JAMES CREIGHTON: So I think the
24 only other thing it points out here is I am from the
24 west, so I don't have a stake in the outcome of any

1 of your particular issues, but I have worked with a
2 lot of utility, water, and natural resource issues.

3 MR. AL MANN: Jim, will you be at
4 every meeting?

5 MR. JAMES CREIGHTON: That's my
6 expectation.

7 MR. AL MANN: Good. I think it would
8 be definitely a benefit.

9 MR. JAMES CREIGHTON: And that's my
10 job to keep you saying that.

11 MR. AL MANN: That's my personal
12 opinion.

13 MAYOR EDDIE SMITH: Okay. Do we have
14 another question on the meeting and process
15 consultant? Questions? Discussions?

16 If we don't have any questions or
17 discussions, then by consensus we agree to this as a
18 groundrule.

19 The next one?

20 MR. JAMES CREIGHTON: This next one
21 is an important one. I well remember the advisory
22 committee I was in one time that was considering a
23 particular water project and a member of the
24 advisory committee was like the Sierra Water Club
25 Committee Chair, and while we were in the room

1 approving the particular water project, the legal
2 counsel for the Sierra Club was in a courtroom at
3 that very moment getting an injunction against the
4 project. This is known as not delivering your
5 constituency.

6 And I have found that, particularly
7 over time, advisory groups can kind of grow away
8 from their constituencies. You start talking to all
9 of these other folks with all of these other
10 interests and you start making accommodations and
11 you've learned something and your thinking begins to
12 change. So there's a danger, not so much in the
13 next few months, but next year sometime, of the
14 advisory group getting -- kind of losing touch.

15 So the idea here is to make it clear
16 that you're -- the expectation of your role is not
17 simply that you come and tell TVA what you think but
18 that you also be a conduit back to your
19 constituency, and to the extent possible, have a
20 conversation. When major issues are coming up, have
21 a conversation with your constituency so that you
22 know what their concerns and issues are.

23 And TVA has indicated a willingness
24 to provide, within some reasons and some ability to
25 say no if it gets extreme, but to provide some

1 administrative support for those activities as
2 appropriate.

3 MAYOR EDDIE SMITH: Okay. Do we have
4 any questions or discussions on the Council members'
5 roles and communication with the constituencies?

6 No questions or discussion, we assume
7 this is approved by consensus.

8 The next item?

9 MR. JAMES CREIGHTON: Informing and
10 involving the public, this is closely related. I
11 have on occasion had advisory groups who have chosen
12 to set up information programs to the public, such
13 as web pages, even newspapers and so on, and have
14 done things -- when you were getting close to a
15 fairly controversial decision, the advisory group or
16 the Council itself actually going out and having
17 workshops or public meetings and whatever where the
18 public is not commenting to TVA, the public is
19 commenting to the advisory group.

20 Now, the language that's in here
21 doesn't say, thou shalt, it simply says that's an
22 option that the Council has and it may choose to set
23 up activities such as that.

24 MAYOR EDDIE SMITH: Any questions or
25 discussions on this item? Has everybody gone to

1 sleep? No questions or discussions? Those in -- I
2 have been used to doing that. By common consent, we
3 approve that.

4 MR. JAMES CREIGHTON: Meetings, the
5 Charter says there must be a minimum of two. That's
6 all it says. It's silent on the issue of how many
7 you choose to establish. So you can establish it
8 and you can set a regular meeting date.

9 The Chair calls the meeting of the
10 Council in coordination with the designated federal
11 officer. So I think under the Charter, actually
12 probably legally the federal officer calls them, but
13 in reality they will coordinate and so on. Later on
14 in the agenda we have some more on dates to come
15 back to. I think this is just generalized language.
16 I don't know whether you want to do the dates thing
17 now or not.

18 MAYOR EDDIE SMITH: Well, we are
19 thinking that initially we need to meet monthly, at
20 least for the first six months, because of what
21 we're trying to do. Then after that point we can
22 look at whether we're going to do it twice a year or
23 what-have-you. That's kind of where we're looking
24 at this point. I can share the dates later on with
25 you, the suggested dates.

1 MR. JAMES CREIGHTON: As a consultant
2 I urge you to meet frequently enough at the
3 beginning that you get a sense of momentum. After
4 awhile you may be working in subcommittees a lot and
5 maybe you don't need it as often because the work is
6 really being done by smaller groups or whatever, but
7 up front, to have sense something is happening, I
8 think you -- my recommendation is to meet fairly
9 regular.

10 MAYOR EDDIE SMITH: Any discussions
11 on the meetings?

12 MR. JIMMY BARNETT: I would like to
13 make a comment. When you say, meet fairly regular,
14 as long as we have got something substantive that we
15 can talk about. I don't like meetings just to
16 convene.

17 MAYOR EDDIE SMITH: Right. Any other
18 comments?

19 MAYOR THOMAS GRIFFITH: Well, I --
20 Mr. Chairman, I pretty well feel the same way as
21 Jimmy. I am thinking maybe for the first month or
22 two months or possibly three meet to get the
23 momentum going, but I didn't anticipate this thing
24 being a monthly meeting, you know. It would just be
25 a lot of meetings when we do that.

1 So I don't mind -- in other words, I
2 don't want to meet every month myself. It just gets
3 to be a lot of meetings with all of the other things
4 that we have to do, but to get the thing going and
5 do what we need to do, I am certainly willing to put
6 forth the effort personally, but I wasn't
7 anticipating a monthly meeting throughout this year
8 for this organization. I would like to see that it
9 doesn't happen that way.

10 MAYOR EDDIE SMITH: I think by the
11 end of the day, after we get through looking at all
12 of the issues and things we have to deal with, then
13 we can make that determination, but the I think by
14 the Charter we have to meet twice a year, and the
15 others may be based on need, and we will work on
16 that.

17 So if there are no other comments or
18 questions or discussions on the meetings, we will
19 declare by common consensus that that is approved.

20 Next topic?

21 MR. JAMES CREIGHTON: Actually these
22 next three topics -- I can probably go through all
23 three of them because they are more just
24 straightforward things and so on.

25 The selection of topics, as Kate

1 described this morning, she can recommend topics to
2 you, but within the confines of the Charter the
3 selection of the topics is actually a Council
4 decision.

5 So you could in theory, though I
6 wouldn't advise it, tell her to go stuff it, but in
7 reality if you want to have an influence on TVA,
8 then the ones she brings to you are probably -- you
9 probably want to talk about them, but the point
10 being, you're not confined to discuss only the
11 topics that TVA proposes to you. As long as it's
12 within the Charter, it's up to you what you discuss.

13 Attendance, this is simply one
14 that -- this is a little bit motherhood, but a
15 strong recommendation that people maintain a
16 continuity of attendance. There's going to be quite
17 a steep learning curve right at first. If you're
18 gone a month or two in a row, you're going to find
19 you're having trouble catching up. The whole point
20 is that there be dialogue between folks and if
21 people -- if there is not regular attendance, you
22 can't.

23 You can, if you want, I presume, set
24 rules regarding attendance, but when Eddie and I
25 talked we were, well, that's kind of a negative

1 start.

2 MR. BRUCE SHUPP: Mr. Chairman, the
3 experience with that with our Council that I
4 mentioned earlier, two things I think we should
5 address, non-attendance, what do we do about a
6 member that is sitting on an important seat and does
7 not attend and represent those constituents? Is
8 there a number of unexcused attendances that you
9 would not tolerate until that person is removed?
10 That's No. 1.

11 No. 2: What about surrogates, can a
12 Council member send a surrogate, and if they do to
13 provide information back to the Council member, does
14 that surrogate have a right to participate in
15 decisions?

16 Now, we're not going to vote, we have
17 decided, so I would guess that's a mute point. He
18 certainly could participate in a consensus
19 development, but I think those are two things we
20 should discuss.

21 MAYOR EDDIE SMITH: Okay. It's been
22 raised that we may ought to have some requirements
23 in terms of the number of meetings that one could
24 miss.

25 Yes?

1 MR. AUSTIN CARROLL: I think if a
2 member fails to attend three meetings in a row that
3 their pay should be cut in half.

4 MAYOR EDDIE SMITH: Okay.

5 MR. JAMES CREIGHTON: We could cut
6 their per diem.

7 MAYOR EDDIE SMITH: Any other
8 suggestions?

9 MAYOR THOMAS GRIFFITH: Mr. Chairman,
10 I personally don't feel that there ought to be a
11 rule set as far as the number of meetings to attend.
12 We all have, for the most part, been appointed,
13 accepted this as a volunteer, and we're going to do
14 the best we can and be here when we can. I think
15 the number of meetings to attend is kind of like
16 Austin, you know, half the pay, I think that's
17 ridiculous.

18 MAYOR EDDIE SMITH: Jim and I
19 discussed this at length last week when we were
20 working on this and we came up with a peculiar
21 situation, as I said, if a person is appointed by a
22 governor, you know, we have to go back to him to
23 make a new appointment and that kind of thing and
24 how that process is going to work. We certainly
25 think the attendance is important, but we did kind

1 of wrestle with that and that's why we didn't make a
2 recommendation on that in this setting.

3 MR. JAMES CREIGHTON: We talked about
4 it.

5 MAYOR EDDIE SMITH: We talked about
6 that at great length and finally decided it should
7 come out, but if you want to put that back in we can
8 discuss it.

9 DR. STEPHEN SMITH: Well, I think
10 there has been a motion to discuss it, and I guess I
11 would just ask the Mayor if he has a suggestion
12 about how to deal with the lack of attendance,
13 because I think -- I think you can potentially get
14 into a situation where you are going through a lot
15 of information and people have to be engaged if the
16 work of this committee is going to be taken
17 seriously.

18 So, I mean, I think it needs to be
19 discussed, and if there isn't some sort of -- I
20 mean, I would like to hear, I guess, another
21 alternative on how to deal with that situation. I
22 mean, not just to you, I mean, to anybody, I think
23 in the effort of trying to get consensus.

24 There's nothing more frustrating than
25 for people to set up and come to meetings in

1 anticipation of working with groups that are equally
2 engaged and X number of the group doesn't do it, and
3 I think if -- I anticipate that if people accepted
4 the position, then they take the responsibility of
5 being here pretty seriously.

6 MAYOR THOMAS GRIFFITH: And that's my
7 response. I think this group of people is here --
8 if they're interested, they will be here. And
9 obviously they are interested, they're here. And if
10 they get to the point or we get -- some of us get to
11 the point where we can't meet and serve, then we
12 will probably remove ourselves, I feel. That's my
13 thinking. I guess it's like a lot of my philosophy,
14 if you're interested, you will be there.

15 DR. PAUL TEAGUE: From what I read
16 from the Charter, we do not have the authority to
17 discipline one of our own. I think it's a mute
18 question really. A surrogate also, I think, is a
19 mute question. We were appointed and our wives
20 cannot come and substitute for us or our friends, in
21 my opinion. We were appointed. We have no
22 authority to remove us, and surrogates are
23 inappropriate, in my opinion.

24 MAYOR EDDIE SMITH: Any more
25 questions or comments or discussions on this?

1 MR. JIMMY BARNETT: If there -- if
2 for some reason I cannot be here, overriding reason,
3 I will be here any way I can be here. If there's
4 some overriding reason that I can't, I can always
5 send someone to monitor but sitting out there
6 somewhere, not sitting in my seat, I don't think
7 that would be appropriate.

8 MAYOR EDDIE SMITH: Any others?

9 MR. AUSTIN CARROLL: All kidding
10 aside, I do think it is important that each one of
11 us take these roles seriously and that we do make
12 every effort to attend these meetings. I think it
13 would send the same signal on our recommendations,
14 as Kate mentioned, that if we had to take a vote and
15 it was half or 40 or 60 or something like that, that
16 the recommendations wouldn't be taken too seriously.

17 I think if it was a consensus and it
18 was passed and only half of the people were there
19 when the consensus was reached, I think we
20 reached -- we come to the same ineffective
21 conclusion. So I think it's behooving of all of us
22 to try our best to attend each one of these
23 meetings.

24 MAYOR EDDIE SMITH: So can we make
25 the assumption that all of us are going to make due

1 diligence to be here and maybe we shouldn't try to
2 put a ruling on this item, any objection to that?

3 If there's no objection to that, then
4 we will accept that as rule -- the attendance as
5 it's stated here.

6 Did we get through with anything
7 else?

8 MR. JAMES CREIGHTON: Participation
9 of observers, the Federal Advisory Committee Act
10 requires that there be a moment of time during the
11 meeting where there be a public comment period.

12 The experience I have had is that
13 that is always at the end of the meeting and
14 substantive decisions are being made during the
15 meeting. There's nothing more frustrating than
16 watching a group reach a decision and then two hours
17 later you get a chance to comment on the decision
18 they have already reached.

19 So we would want to -- we scheduled
20 it towards the end today because it was primarily an
21 organizational meeting, but our thinking would be
22 that in setting agendas you would want to try to
23 have a comment period appropriate to the decision
24 that was being reached so people had a chance to
25 comment on a decision before you reached it.

1 That could even get you into a
2 situation where there might be more than one comment
3 period in a meeting because you were reaching more
4 than one substantive decision. I think that would
5 have to come out in the agenda planning.

6 I also think that members of the
7 public need to be alerted, and that's what the last
8 sentence is about, to the option of going directly
9 to members of the Council, knowing that a topic is
10 coming up and being able to communicate ideas and
11 concerns to you before the meeting so that you're
12 prepped and ready to come in and talk about the
13 concerns that some of your constituents have.

14 I don't know whether -- this does not
15 really set -- it's simply kind of an alert that,
16 yes, there will be this and, I guess, asking
17 permission that as we set agendas to be able to move
18 that time around appropriately so that people get a
19 chance to comment before a decision gets made.

20 MR. JIMMY BARNETT: I have a
21 question, as this happened recently in our area,
22 there have been attempts from people addressing a
23 public body to do it for hours at a time, sort of
24 filibuster, which causes great consternation among
25 everybody, even other people, the audience that

1 would want to comment about that or another issue.

2 Somewhere, somehow a sense of how
3 long even one of us can comment or, you know, what's
4 an appropriate standard length of time, try to keep
5 our comments to five minutes or one minute or ten
6 minutes or do we have unlimited time, but a sense of
7 someone from the public may have several people who
8 want to address the group, we could be here all
9 night, and we can do that, if that's the wishes of
10 the Council or if that's what's appropriate, but
11 what is appropriate in a case like that?

12 MR. JAMES CREIGHTON: One thing I
13 have seen groups do is rather than try to decide
14 once and for all time on that, is simply delegate to
15 the Chair the authority to establish time limits as
16 appropriate. A way I have seen it done is you know
17 you have about 45 minutes set aside for a comment
18 period and you say, well, how many folks need to
19 speak, and you find you have two, then you probably
20 don't have to set a time limit. If you find you
21 have 20, then the Chair might start saying, well, we
22 probably need to get some agreement on time. So you
23 might want to add a sentence here to the effect that
24 the Chair may establish reasonable time limits for
25 public domain.

1 MR. JIMMY BARNETT: I was making my
2 comment really because it became such a notable
3 problem in our area.

4 MAYOR EDDIE SMITH: Do we want to add
5 that sentence to this paragraph?

6 MR. AL MANN: So the total period of
7 time is going to be 45 minutes.

8 MR. JAMES CREIGHTON: Well, that's
9 what we had on today's agenda. I was using that as
10 an example, not saying --

11 MR. AL MANN: So that can be any
12 time. Then the length of time is going to be
13 divided by the number of people that you have, is
14 that correct?

15 MR. JAMES CREIGHTON: My
16 recommendation is just to use language like, the
17 Chair may set reasonable time limits.

18 MR. AL MANN: That's fine.

19 MAYOR EDDIE SMITH: So that should be
20 added here under the participation of observers, the
21 Chair may -- what did you say?

22 MR. JAMES CREIGHTON: May establish
23 reasonable time limits.

24 MAYOR EDDIE SMITH: May establish
25 reasonable time limits for comments.

1 MR. JAMES CREIGHTON: And reasonable
2 cuts both ways. It has to be long enough they have
3 a chance to really say something but also something
4 so everybody is not asleep by the time they are
5 done, asleep or furious.

6 MAYOR EDDIE SMITH: Any other
7 discussions on this item? With that addition, is
8 there a consensus that we will approve this the way
9 it is?

10 If there's no objection, this is
11 approved by consensus.

12 Standard subcommittees and informal
13 work groups.

14 MR. JAMES CREIGHTON: The Charter
15 actually says that TVA must establish the
16 subcommittees, but there's no reason, as I said
17 earlier, that you can't recommend them, and my
18 presumption would be that TVA would simply go
19 through the mechanics. It's one of these legal
20 things that the FACA kind of requires that level of
21 control over the committee.

22 On the other hand, there's no reason
23 you can't establish informal working groups of any
24 kind. So at least my interpretation is it's
25 standing subcommittees, like you have a budget

1 committee or something like that, that continues to
2 be in existence for the duration, that those are the
3 kind of committees that have got to be run through
4 TVA.

5 If you say, you guys -- you five
6 people go off and work us up a recommendation on
7 such and such, in my interpretation, that would be
8 an informal working group that's entirely in your
9 purview.

10 So in the case that you want to set
11 up a standing subcommittee, this simply says that
12 the Chair would work with TVA and the Council on the
13 membership of the subcommittee and that the Chair,
14 in consultation with the Council, can set up
15 informal working groups or task forces. It's just
16 an empowering sentence, not much more.

17 MAYOR EDDIE SMITH: Any discussions
18 or comments or questions on the standing
19 subcommittee and the informal working groups?

20 DR. STEPHEN SMITH: Yeah, I just want
21 to seek a little bit of clarification there. There
22 is I know the willingness on behalf of TVA, at least
23 it's my understanding, with standing subcommittees
24 to lend some assistance -- staff assistance to help
25 process and administer the subcommittee, does that

1 extend to the informal working group also, just a
2 point of clarification?

3 DR. KATE JACKSON: Yes.

4 MR. JAMES CREIGHTON: We need it up
5 so that when she says yes everybody can hear it.

6 DR. KATE JACKSON: That's why I said
7 yes. I figured you couldn't hear my head rattle.

8 MR. JIM CREIGHTON: She says yes.

9 DR. KATE JACKSON: Yes.

10 MR. JAMES CREIGHTON: Do you think
11 you need some language in here about TVA will
12 provide reasonable administrative support?

13 DR. STEPHEN SMITH: Well, my sense is
14 that, as with those of us, there is -- there are
15 other individuals who may be tapped or recruited and
16 are going to -- I think they are going to want to
17 see that if they participate in something like this
18 that there is some commitment that these standing
19 subcommittees and these, for lack of a better term,
20 work groups are taken seriously, that there is a
21 commitment to work on that.

22 I honestly believe that that's where
23 the majority of this work is going to get done, and
24 I think it is going to be probably one of the more
25 important things we look at doing, and how we

1 constitute those, how we engage other members of the
2 public, and I just -- I think it is important to not
3 only have it written here but also to maybe even be
4 flexible to really refine that so that it becomes an
5 operative concept.

6 MAYOR EDDIE SMITH: Okay. Do we
7 have -- Steve, did you suggest any changes to this
8 or just raise the issue of --

9 DR. STEPHEN SMITH: I guess the only
10 suggested change may be that we add a sentence
11 that -- and I have seen it somewhere else, it may be
12 in the Charter, but actually is reflected in the
13 groundrules or something so that if -- again, if
14 we're out talking to people who we know have very
15 legitimate issues and feel that they have something
16 significant to contribute to the work of this
17 committee that they have a sense, and it can be
18 documented in the groundrules that there is actually
19 something of substance if there is a standing
20 committee or a work group and that they are going to
21 have the ability to have some administrative support
22 from TVA to make sure that that happens and attempts
23 to help facilitate their coming together and other
24 things like that so that things actually do happen.

25 MAYOR EDDIE SMITH: So basically what

1 we're saying is we should add to this the subgroups
2 and subcommittees will have staff support from TVA.

3 MR. JAMES CREIGHTON: We have the
4 sentence in a couple of places earlier, TVA will
5 provide administrative support as appropriate to
6 support these efforts, something like that.

7 The other thing actually -- I'm glad
8 Steve brought this up. This does not say what I
9 assumed was true all along but probably should be
10 said explicitly, that members of subcommittees and
11 working groups do not have to be members of the
12 Council, or conversely, the Council may include
13 members on subcommittees and working groups who are
14 not members of the Council.

15 MAYOR EDDIE SMITH: So that's to be
16 added here under that, too.

17 MR. JIM CREIGHTON: I am assuming it
18 probably should be clearly stated. Somebody raised
19 that as an issue, I think, last night or this
20 morning.

21 MAYOR EDDIE SMITH: I know he's
22 raised that several times. Any objection to adding
23 that subcommittees and working groups may be members
24 of the Council or not members of the Council?

25 MR. JAMES CREIGHTON: Maybe we can

1 message that wording.

2 MAYOR EDDIE SMITH: Yeah, but that's
3 the essence of it. No objection to that. The other
4 addition would be that we have the support of TVA
5 staff.

6 DR. PAUL TEAGUE: Wouldn't it be
7 appropriate that these subcommittees be made up
8 primarily of us as members and that we use those
9 additional to the subcommittee only people that
10 we're asking for professional advice from, rather
11 than just going out saying, I am going to pick up
12 John Doe over here because he's a buddy of mine and
13 he wants to be on this subcommittee, so I want him
14 on that subcommittee. I think primarily it's our
15 responsibility to do that work and use these people
16 as professionals, just a thought.

17 MAYOR EDDIE SMITH: So you're adding
18 an issue as it relates to subcommittees being
19 members of the Council only, is that what you're
20 suggesting?

21 DR. PAUL TEAGUE: I am saying that
22 primarily it's our responsibility to be on
23 subcommittees and it's not the responsibility of
24 somebody we pick up off the street to be on the
25 subcommittees, unless they have professional advice

1 as to that subcommittee.

2 MS. MILES MENNELL: It would seem to
3 me that we have already covered that point because
4 it says that the appointment of those members have
5 to be approved either by TVA and/or by the Council.
6 So hopefully that would enable us to expand our
7 membership, and I think the presumption would be
8 that we wouldn't agree to the appointment of anyone
9 unless they brought very specific and credible
10 credentials to us. So I think we have already
11 covered that, in my opinion.

12 MAYOR EDDIE SMITH: Is that
13 acceptable to you?

14 DR. PAUL TEAGUE: That's acceptable.

15 MAYOR EDDIE SMITH: Where are we?

16 MR. JIM CREIGHTON: We have added a
17 sentence to the effect that the Council may invite
18 nonmembers of the Council to --

19 MS. MILES MENNELL: I think that
20 would be certainly in our best interest over the
21 long time.

22 MR. JIM CREIGHTON: Then we would add
23 this kind of standard sentence about TVA's
24 administrative support.

25 MAYOR EDDIE SMITH: Okay. With those

1 two changes, are there any other questions or
2 discussions on standing committees and subcommittees
3 and work groups?

4 If not, then by consensus we will
5 approve that, and move to communication with the
6 media.

7 MR. JIM CREIGHTON: This can be a
8 touchy one. I have seen political committees where
9 much of the committee meeting took place after the
10 meeting as everybody rushed out to try to get their
11 spin to the media.

12 And when Eddie and I talked it over,
13 basically what we're trying -- what we're proposing
14 here is that you're perfectly free to talk to the
15 media, but to the extent that you are representing
16 the Council it's really only appropriate for the
17 Chair or his designee. You can represent your own
18 point of view however you wish, but only the Council
19 speaks on behalf -- only the Chair speaks on behalf
20 of the entire Council.

21 And furthermore, when he does, it's
22 his job to consult with you before he does, so that
23 when he speaks he, in fact, feels confident that he
24 is speaking on behalf of the Council as a whole.
25 But nothing limits your ability as an individual to

1 speak, just don't say, the Council feels such and
2 such, you would say I feel such and such.

3 (Brief recess.)

4 MAYOR EDDIE SMITH: As you see in
5 there it indicates the Chair is expected to consult
6 with the entire group about what should be said and
7 should endeavor to represent the thinking of the
8 entire group, not just his own opinion, I agree with
9 all of that, but one of the assumptions that I am
10 making is that as we have gone through the various
11 items of the agenda today and there's been approval
12 and consensus of, that those are the things that I
13 would talk to the media about, and that I assume
14 that your input on that is appropriate. So we will
15 at least talk about what was done and that kind of
16 thing in the sessions. Is there any problem with
17 that?

18 MR. JIM CREIGHTON: Your concern was
19 that you didn't have to -- have to say, mother, may
20 I, but if it occurred in the meeting and everybody
21 had approved it and so forth, that he's free to talk
22 about it without having to have special permission.

23 MAYOR EDDIE SMITH: Right. Okay. So
24 no -- any other comments or questions on the
25 communication with the media? No further

1 discussion -- okay.

2 MR. BRUCE SHUPP: We're going to get
3 asked questions about process, as well as decisions,
4 how are we going to handle that? What did you do
5 today? What did you talk about?

6 MAYOR EDDIE SMITH: I think that as
7 long as you're reporting the same thing that I was
8 saying, what we have done. When you get outside of
9 what we have done, then you need to make sure that
10 it's your opinion rather than what the Council did.
11 As long as you're commenting on what the Council has
12 done, just as if I would, particularly your local
13 newspapers and media is going to be wanting to know
14 from you, what did get done up there, and I won't be
15 around for that, so you could share what we have
16 done in the sessions here.

17 MR. AL MANN: Organization, I guess,
18 you would call it.

19 MAYOR EDDIE SMITH: I don't quite
20 understand you.

21 MR. AL MANN: You would call what we
22 did, we did organization.

23 MAYOR EDDIE SMITH: Right. Today,
24 yes, we did rules and guidelines, there wasn't a
25 whole lot. I hope you tell them that the

1 decisions -- one decision made could seriously
2 impact another, the operation, that's one thing I
3 learned.

4 That's the kind of thing that I would
5 be making comments on, because I think that's
6 important for the public to know from -- like we're
7 learning from looking at these computer models, you
8 know, and that's part of the communications that I
9 think that we need to share with our constituents.

10 Can we assume otherwise that by
11 consensus we will use this procedure? Okay.

12 MR. JIM CREIGHTON: The next one, I
13 don't know whether you need the next one. It's an
14 issue that has come up with advisory groups before,
15 which is at times they are asked to review documents
16 that are not yet released to the public, and so the
17 question becomes, do you -- is there a need for
18 establishing rules about confidentiality and so on.

19 And the reason I am not sure you need
20 this is because all of your meetings are public
21 meetings unless the administrator -- is it
22 designated as federal officer or head of the Agency?

23 DR. KATE JACKSON: Head of the
24 Agency.

25 MR. JAMES CREIGHTON: Head of the

1 Agency can say for this particular topic you go into
2 the equivalent of an executive session, and under
3 that circumstance, then I guess this would come into
4 play and rules might be established about whether
5 you walk out of the executive session with documents
6 and your obligation is not to pass that on to
7 somebody else and so forth and so on, that would be
8 the only circumstance under which I could see this
9 arise. Otherwise, all your meetings will be public
10 meetings.

11 MAYOR EDDIE SMITH: Okay. Any
12 questions or discussions or comments on
13 confidentiality of materials?

14 Well, by common consensus, we agree
15 on that.

16 Council members' travel expenses.

17 MR. JIM CREIGHTON: Okay. The next
18 two are real straightforward. It simply says you
19 will be reimbursed for travel and subject -- and
20 this goes to Steve's point, subject to TVA approval
21 to participate in other Council business.

22 So theoretically if three of you had
23 to get together for a subcommittee meeting in
24 consultation with TVA, you could arrange to have
25 some reimbursement. Any reimbursement you do have

1 though is subject to those federal travel
2 requirements, and TVA will set up some kind of
3 procedures for how travel outside the Council
4 meeting gets approved and how you handle
5 reimbursement. I think you-all notice that in your
6 binders already is a travel voucher thing that you
7 need to fill out.

8 MAYOR EDDIE SMITH: Okay.

9 MR. JIM CREIGHTON: I think that's
10 just more information.

11 MAYOR EDDIE SMITH: This is more
12 information on the minutes.

13 MR. JAMES CREIGHTON: TVA staff is
14 responsible for keeping the record, and we're going
15 to have the court reporter as well, but be very
16 clear that any minutes, which would be a summary
17 rather than the great big, thick court reporter,
18 they're your minutes. So you will review them and
19 you can modify them as you wish. They are Council
20 minutes rather than TVA minutes.

21 MR. JIMMY BARNETT: I have a
22 question, Mr. Chairman.

23 MAYOR EDDIE SMITH: Yes.

24 MR. JIMMY BARNETT: When she finishes
25 a copy of the minutes, are you going to send those

1 out to the group or are you going to wait until the
2 next meeting to go over the minutes, just a
3 procedural question?

4 MR. JIM CREIGHTON: I would say send
5 them out on E-mail as quickly as possible.

6 MR. PHIL COMER: It would save a lot
7 of time to send them out in advance rather than sit
8 here and read them.

9 MR. JIM CREIGHTON: Well, we haven't
10 gotten to it yet, but the intent is there will be an
11 E-mail system. Is everybody here on E-mail, on
12 computer?

13 Al, is that a yes?

14 MR. AL MANN: Yes.

15 DR. KATE JACKSON: Is there anybody
16 who isn't?

17 DR. PAUL TEAGUE: I will be shortly.

18 MR. JIM CREIGHTON: If we can get
19 everybody so that they have access to E-mail, then
20 when the minutes are ready and things like that, we
21 push a button and it's broadcast instantly to all 30
22 people, and you don't get it four days later through
23 the snail mail. Candidly, it's a lot easier to get
24 stuff out that way. It would be helpful if we could
25 get everybody on it.

1 MR. JIMMY BARNETT: Is Kate going to
2 buy us a brand-new computer for that?

3 DR. KATE JACKSON: You already said
4 you had E-mail.

5 MR. JIMMY BARNETT: Good thinking,
6 Kate.

7 MR. JIM CREIGHTON: Paul may talk to
8 you later. I saw some old leftover ones kicking
9 around.

10 DR. KATE JACKSON: Thank you.

11 MR. JIM CREIGHTON: So the answer is,
12 yes, they will be sent out I think as soon as they
13 are ready for you to review, and the E-mail is just
14 an additional thing that would save a lot of wear
15 and tear if we can get everybody up and running on
16 it.

17 The last thing is simply a -- these
18 are kind of mother and apple pie kind of things, but
19 I found when I am leading meetings it's often handy
20 to have it acknowledged, that these have all been
21 agreed upon, so that everybody understands them.

22 So the proposal is members of the
23 Council agree to treat each other with the same
24 respect which they would like to be treated, and
25 that means they listen to each other, seek common

1 ground where possible, focus on fixing problems, not
2 blame, provide full and open disclosure of
3 information and refrain from interrupting name
4 calling, attributing negative motives, and relying
5 on hearsay information.

6 These aren't enforceable with 20
7 lashes or anything, they simply are a standard that
8 the Chair can say, let me remind you that we have
9 agreed to such and such.

10 MAYOR EDDIE SMITH: Okay. Any
11 comments on the last page of the items? If not,
12 then by common consensus, can we say we have
13 completed the preliminary groundrules and we can
14 move on to the other part of our business?

15 Do we have anything that you think
16 would need to be added to this list of things that
17 we have gone through so far at this time?

18 If not, then we will get down to
19 Council topics. Jim, would you carry us through
20 that part also?

21 MR. JIM CREIGHTON: I did a summary
22 of 12 responses we got to the questionnaire, and so
23 this does not represent the entire 20 folks. We
24 only got 12 back and this is a compilation.

25 What I did was I made some judgements

1 about combining similar topics where people use
2 different wording than what's shown in caps. I
3 showed you the actual wording that they used so that
4 you could make a judgment whether I combined things
5 in an intelligent manner or not.

6 The points to the side are the
7 cumulative points, assuming that I dumped them in
8 the right categories. So you can see what they are.
9 The intent is not that this in any way be binding,
10 this is just an informational kind of thing, so
11 forth and so on.

12 Then to Item 3, the only real
13 question that people wanted to know about working
14 together had to do with the issue of voting versus
15 consensus, and we have dealt with that considerably.

16 And let me point out before you
17 discuss this a couple of things. First of all, if
18 you want -- Bill Robertson raised the issue of
19 whether you want to have kind of a context or a
20 framework or a future vision or whatever, that did
21 not get addressed anywhere in here. So it's your
22 call whether you want to deal with that.

23 There is one other item that I know
24 is on a time line with TVA. TVA, like all federal
25 agencies, is required to conform to something called

1 the Government Performance Results Act, which it
2 sets goals and objectives and performance measures
3 for the Agency and is required to have some form of
4 stakeholder involvement in that.

5 The time frame for -- this was first
6 done in 1997. TVA is in the process of redoing
7 that, and the time frame is such that if that's a
8 topic you want to discuss, that would have to be
9 done at the next month's meeting. They are on a
10 cycle where they have to get their stuff into the
11 gods in the heavens and they have to -- it has to be
12 done shortly after the next meeting.

13 MR. BILL FORSYTH: What exactly is
14 the topic?

15 MR. JAMES CREIGHTON: It really has
16 to do with goals and objectives and performance
17 measures for the Agency.

18 MR. PHIL COMER: Do we have a copy of
19 that?

20 DR. KATE JACKSON: No. Let me talk a
21 little bit more about it, and actually we have our
22 GPRA expert here in the room if people have some
23 more technical questions than I can answer, but this
24 is a part of the administration's reinventing
25 government process, looking at trying to make

1 government agencies act more, look like, be like
2 businesses.

3 To that extent, to more fully
4 identify their mission and their strategic
5 objectives, and then look at what the performance
6 goals are to be able to reach those objectives and
7 setting targets, then year after year managing
8 toward those targets. So every year since '97 we
9 have looked at what the next year's goals were and
10 set targets and then reported on last year's.

11 Part of the GPRA's requirements are
12 that we get input from stakeholders on what those
13 performance targets are, what those goals are we,
14 and we have done that kind of informally typically,
15 but this just looked like a target of opportunity
16 for us since you-all represent so many of our
17 stakeholders that we thought, hey, maybe this is a
18 really good thing, not necessarily exactly what we
19 all need to wrestle with, but just because it was
20 such a golden opportunity because you're in the
21 room, we thought maybe we would have you look at
22 this.

23 So we have a couple of options. We
24 can send a copy of it out to you so you could review
25 it and then discuss it a little bit at the next

1 meeting. We could send it out to you and have
2 people come talk to you individually. We can have
3 some sort of formal presentation on it at the next
4 meeting or you can decide and you guys figure out
5 how you're going to do this and don't bother us.

6 MR. JIM CREIGHTON: Then the one
7 other item that -- besides, I was just trying to
8 flag topics that didn't get covered here so that the
9 framework thing, the GPRA thing, and then the other
10 one was Bruce's issue about looking at funding --
11 well, funding is on here, but this whole issue,
12 should we take a look at other federal agencies, how
13 they -- how they subsidize stewardship activities,
14 do you want to look at what investor owned utilities
15 do to stewardship activities, any of that kind of
16 stuff, that sort of falls under funding but maybe
17 you wouldn't want to expand what the wording is here
18 on funding. So that's simply -- this is what you
19 told us and I have simply tried to put it into a
20 format so you could discuss it and make judgements
21 about how you wanted to proceed.

22 MAYOR EDDIE SMITH: Okay. You have
23 before you the summary of the questionnaires and the
24 results. We will open up for discussions on this at
25 this time and see what you -- which direction you,

1 as the Council, would like to move in as far as time
2 to address some of these issues that's here.

3 MR. JIMMY BARNETT: I have a question
4 of Kate. Are these goals and objectives going to
5 have anything to do with the scope of our activities
6 as set forth in this document, in the Charter?

7 DR. KATE JACKSON: Yes, but it's
8 not -- it's not totally coincidence. So, yes, all
9 the things -- the navigation and flood control,
10 there are performance goals for those programs, but
11 there are also performance goals for the power
12 program, so there's more than. It includes
13 everything that's in the Charter, but it's a little
14 bit more than.

15 MR. JIM CREIGHTON: Will it constrain
16 the decisions of this Council?

17 DR. KATE JACKSON: Well, to the
18 extent that -- okay. I will give an extreme. To
19 the extent that we have some performance targets
20 there for meeting flood control, discretionary zone
21 for flood control, for example, if you-all would
22 decide and we would decide to implement, which is
23 highly unlikely, we don't want to do flood control
24 anymore, maybe that would constrain you, but given
25 that these are not long-term targets, you know, they

1 are over -- is it five, Rick?

2 MR. RICK DRIGGANS: Six.

3 DR. KATE JACKSON: Six years, and
4 that they can change from year to year, I don't
5 think that they constrain you.

6 MR. JIMMY BARNETT: You mentioned
7 that this is an opportune time with an opportune
8 group, if you will, to discuss something like this.
9 Since you-all have to talk with stakeholders anyway,
10 I guess, how strongly would you like to suggest that
11 we consider that in light that we have got all of
12 this other on our plate to discuss?

13 DR. KATE JACKSON: And I have
14 struggled with that. A six on a ten point scale.

15 MR. BILL FORSYTH: I think it might
16 give us an added perspective on the TVA issues.

17 DR. KATE JACKSON: I mean, it
18 provides a business plan. It provides a mission.
19 It provides strategic objectives. It is maybe more
20 near term than some of the things and issues that
21 you need to examine, but it's lot of information.
22 It's not as thick as this.

23 MR. JIM CREIGHTON: Quite.

24 DR. KATE JACKSON: It's a public
25 document. It is publicly available. Many of you

1 have seen it already.

2 MR. PHIL COMER: I think if I could
3 see it, I am like Bill, I might have a better basis
4 of deciding whether it's something we should deal
5 with or not, since it is a public document.

6 MAYOR EDDIE SMITH: Yes?

7 MR. AUSTIN CARROLL: I guess I would
8 like for us to see the document and then come to
9 some conclusion or not as to whether or not we want
10 to try to have input in that, and I'm just cautious
11 about, you know, chasing rabbits and not staying
12 focused on what the Council was convened to do.

13 MAYOR EDDIE SMITH: Okay. I think I
14 can agree with you on that, and maybe we can put
15 that on the agenda for the next meeting. Will it be
16 ready by then?

17 MR. RICK DRIGGANS: At the next
18 meeting, we can have it ready for you to review.

19 MAYOR EDDIE SMITH: I think the thing
20 before us now in terms of the topics that we -- the
21 questionnaire, it seems to be they pretty much come
22 up 1, 2, 3, 4 of the concerns that I have heard in
23 the area. So, I guess, the question that I would
24 like to raise with you is, do we want to set these
25 priorities of issues that we want to deal with at

1 this time, going down 1, 2, 3, 4, or what --

2 MR. BRUCE SHUPP: I would like to
3 hear what TVA's top five or six priorities are and
4 see how they would overlay against ours and see if
5 there is a possibility that the top two or three
6 would be similar that we could then focus on
7 something that would be immediately acceptable to
8 both the Agency and to the Council.

9 DR. STEPHEN SMITH: Yeah.

10 MAYOR EDDIE SMITH: I don't know if
11 Kate is going to tell you that or not, but we will
12 see if she will. She's been pretty evasive on it.
13 It's kind of like what's surfaced from us and this
14 what's surfaced from us.

15 DR. KATE JACKSON: Evasive?

16 MAYOR EDDIE SMITH: I don't mean
17 evasive. I'm sorry. I mean, not -- not evasive,
18 what's a better word, letting us decide what we want
19 to do, trying to surface with our own ideas, and I
20 think that's what we're trying to do.

21 DR. KATE JACKSON: I guess my
22 response to that would be that as opposed to
23 reservoir levels, I mean, we look at management of
24 the river system, so that lumps a whole bunch of
25 these in. It lumps in navigation, reservoir levels,

1 flood control, hydropower, thermal supply for the
2 power system, so it's that whole river system
3 balance.

4 Then in addition to that, it would be
5 land use and land use policies. I put recreation in
6 with that -- sort of that first river one because
7 the vast majority of recreation here is water based.

8 MS. ELAINE PATTERSON: Mr. Chairman?

9 MAYOR EDDIE SMITH: Yes.

10 MS. ELAINE PATTERSON: I think we
11 need -- this is -- I see this from a process point
12 of view as a list of topics we need to better
13 understand. I mean, our next sort of phase is
14 education. Then as we learn about each of these, we
15 might be in a better position to prioritize them.

16 MR. PHIL COMER: What was the purpose
17 of doing the questionnaire if it was not to
18 prioritize them? That was the purpose of the
19 questionnaire.

20 MS. JULIE HARDIN: Using the numbers
21 to weight them.

22 DR. STEPHEN SMITH: Yeah, but only
23 about 50 percent of the people participated in the
24 questionnaire. So I am not sure it's a totally
25 accurate reflection.

1 MR. PHIL COMER: It may or may not,
2 but it's the best we have. We're not mind readers
3 of the 50 percent who didn't send them back.

4 DR. STEPHEN SMITH: Well, that's
5 true.

6 MS. ELAINE PATTERSON: You might want
7 to resolicit everyone who hasn't participated and
8 get that information and weight it.

9 MAYOR EDDIE SMITH: I think that
10 there may have been a reason why you didn't get any
11 more response because most people probably didn't
12 really have a feel for what the concerns were. You
13 know, I know I had to -- if I had not looked up at
14 some material and documents, I would have had a
15 problem deciding what I wanted to think about, so
16 that may be --

17 MR. AUSTIN CARROLL: Even I struggled
18 with it having some numbers of years familiarity
19 with TVA, and I can certainly understand some folks
20 that might have, you know, had a less opportunity to
21 have dealings with TVA some and some insights with
22 TVA. I would suggest that's the reason that we
23 didn't get that many documents back.

24 I think after, you know, having met
25 today, I think we have got some better sense of

1 where we're going and what we want to be about, and
2 it might be time to, you know, ask for that kind of
3 input again now that we're a little bit more
4 knowledgeable about what we're supposed to do.

5 MS. JULIE HARDIN: Well, I think this
6 brings up something we have already talked about,
7 which is getting back to our constituency, that's
8 how I filled out this questionnaire and weighted it.
9 I talked to people who I am supposed to be
10 representing here, about 12 or 13 of them.
11 Otherwise, I wouldn't have known either.

12 MR. JIMMY BARNETT: Mr. Chairman?

13 MAYOR EDDIE SMITH: Yes.

14 MR. JIMMY BARNETT: Kate makes a
15 point, and our little exercise this morning also
16 reinforces that particular point, there are a lot --
17 we talked about topics down into the whole river
18 system management area, we talked about individual
19 pieces, which I don't disagree with us talking about
20 these individuals pieces, but perhaps we should
21 categorize those some kind of way in connection with
22 Kate and her folks, okay, we're going to talk about
23 river system management.

24 Now, I would hate to see all of these
25 topics go back under that particular umbrella

1 because then we're right back with this same list,
2 but if in the context like we saw this morning, if
3 you maximize water quality, then you hurt something
4 else, that's part of the discussion. Lake levels,
5 you can't talk about lake levels without talking
6 about the effect on some of these other things.
7 Like I say, that was sort of the example out of the
8 exercise and the result that at least it showed to
9 me.

10 So I think you have to talk about
11 them in conjunction with each other under the topic
12 of the river system management. So I guess what I
13 am saying is if we had river system management and
14 then the four areas or five areas under that, the
15 topics in that, and have to talk about them in
16 conjunction with each other, not each one by itself,
17 entirely by itself, totally separate about what
18 effect will it have, because we saw what that did in
19 our little demonstration. So, in effect, when I am
20 talking lake levels, I am also talking land
21 management, I am also talking recreation. They are
22 intertwined.

23 MR. PHIL COMER: And economic
24 development, economic development is a very
25 important part of that.

1 MR. JIMMY BARNETT: So to me it's all
2 intertwined and it's hard to separate one out from
3 the other and say, well, I am going to talk about
4 this and then later on I am going to talk about
5 recreation since they are intertwined so much. So I
6 see where Kate is coming from with her comment that
7 she would put them all under one particular topic,
8 and I tend to agree with that.

9 MAYOR EDDIE SMITH: Okay. So it's
10 like we can say the No. 1 priority would be river
11 management, which includes a whole scope of things.
12 I think a lot of this is going to be education for
13 our constituencies. So as soon as we learn about
14 these things the better we can share the information
15 with them, because I know we have some -- the lake
16 level is a focus that some groups just have their
17 attention focused on, and we need to make sure they
18 understand that it's all interrelated.

19 So I am trying to see, I guess the
20 thing we're trying to get at is if we set priorities
21 on this, then these would be a part of our agenda
22 for our next meeting, would that not be what we want
23 to do?

24 MR. PHIL COMER: Yes.

25 MAYOR EDDIE SMITH: And we'd need to

1 set up some mechanism to do that. So let's see if
2 we can get a consensus to sort of use the umbrella
3 approach that Kate gave us.

4 MR. PHIL COMER: I share what he just
5 said, I think what Kate proposed is a reasonable
6 point of view, you know, sort of the integrated
7 aspect of it. I agree with what you have said,
8 Kate.

9 MAYOR EDDIE SMITH: Does anyone
10 disagree?

11 MR. PHIL COMER: Because you can't
12 really deal with them totally in isolation.

13 MR. JIM CREIGHTON: Would the topic
14 be river operations, is that what you would call it?

15 DR. KATE JACKSON: I guess I would
16 suggest to think about river management thinking
17 that a lot of these things are interrelated and have
18 direct influences. Navigation has a direct
19 influence on flood management.

20 MR. PHIL COMER: Cooling water.

21 DR. KATE JACKSON: I guess I would
22 suggest, yes, there are topics in lands management
23 that you might want to contemplate looking at public
24 lands management as a separate topic, recognizing
25 that they're interrelated but also highlighting the

1 importance of the impact of the way TVA manages its
2 land has a significant impact on water quality and
3 it has a significant impact on quality of life and
4 economic development, but you might want to take
5 those up as separate because there are some
6 different issues.

7 Then you might also want to think
8 somehow about the balances that you're then making
9 with respect to the power costs, power rates,
10 hydropower. You may be able to include that in your
11 river management, you may not want to, so think
12 about that. And I also heard some discussion about
13 the funding issue, you may want to think about that
14 separately.

15 I am a categorizer though. So tell
16 me to be quiet if you don't want me to categorize
17 for you.

18 MAYOR EDDIE SMITH: Let me see if I
19 understand. If we say river management, we're
20 looking at about six items, is that what you're
21 looking at, that's on this list of things? I have
22 lake levels, public land management, water quality,
23 shore line management, recreation.

24 MR. PHIL COMER: Kate is suggesting
25 pulling out the land management.

1 MS. JULIE HARDIN: Into a separate
2 category.

3 MR. PHIL COMER: You're suggesting
4 pulling that one out as a separate category, but
5 certainly lake levels, water quality, economic
6 development, and I like Kate's terminology.

7 MS. JULIE HARDIN: Balance.

8 MR. PHIL COMER: Yeah, the river
9 management, and it does affect a number of these
10 things. Maybe, what, four of them, Kate, anyway?

11 MR. JIM CREIGHTON: I think the big
12 question in terms of guidance to us in planning
13 these is, do we prepare next time for river
14 management, and then we can decide whether we want
15 to take several meetings after and continue on that
16 or whether we want to move to a new -- maybe put a
17 subcommittee off working on that, but for the next
18 meeting maybe or so we get you ready for river
19 management, is that what you want?

20 MR. BRUCE SHUPP: I think what's
21 going to be important is to try to envision what our
22 product is going to be from those discussions, what
23 are we going to produce from tackling those
24 categories, and then we'll have to figure out how
25 we're going to do that, but, you know, tackling

1 river management is quite a task for this Council.

2 MR. PHIL COMER: This group will not
3 come to conclusions on that subject. I think --
4 Dr. Jackson, may I refer to the Annual Report, Page
5 17, my favorite page of your annual report? Do I
6 have your permission?

7 DR. KATE JACKSON: This is your
8 meeting. If you have the Chair's permission, sure.

9 MR. PHIL COMER: In a way TVA has
10 already begun gearing up, I will use your
11 terminology, gearing up for a system wide
12 reevaluation of the reservoir management processes
13 and activities, and I think that's, in effect, what
14 you're saying now.

15 It doesn't mean that this group can
16 really solve that problem as far as coming up to how
17 you will end up operating, if any changes are made,
18 but I think they already have a grasp on this as an
19 integrated, very important one, your basic
20 integrated concept of balancing the different
21 demands on the water from the time it falls from the
22 sky until it reaches Paducah, Kentucky.

23 You created a task force in mid 1998
24 for that very purpose, and I am trying to agree that
25 to discuss lake levels by itself in isolation is a

1 little unrealistic, but I think you already have --
2 you know, you have set in motion a task force, a
3 lake level policy task force, which does deal with
4 this as an integrated subject.

5 Am I correct?

6 DR. KATE JACKSON: Well, we don't
7 have an ongoing review right now of changing the
8 operating policy on reservoirs.

9 MR. PHIL COMER: I know that. But
10 you have a budget -- you budgeted \$300,000 in 1999,
11 \$600,000 in the year 2000 for this preliminary
12 gearing up study.

13 DR. KATE JACKSON: And much of that
14 is not, in fact, study. It is tools development,
15 recognizing that there are not existing tools
16 currently to evaluate some -- some of the economics.

17 I mean, you heard Bill talk last
18 night about there is some things you can quantify in
19 economics and some things are more difficult. So
20 it's to begin to develop the tools that will enable
21 us to do that long-term.

22 DR. STEPHEN SMITH: One of the things
23 on this integrated nature, obviously there's a
24 number of people at the table that have a strong
25 concern of the lake levels issues, and for those of

1 us that it might not be the top of the mind thing,
2 it is important for me as -- to be an active
3 participant in that and to understand some issues
4 like, how does the lake level issue affect water
5 quality, and I am not sure that there's a body of
6 evidence. I sort of probed around for the answer to
7 the question last night. I think there was some
8 work done awhile back.

9 And to me, I couldn't participate in
10 a discussion, I think, I mean, it would -- to me it
11 would be insufficient to not be able to understand
12 the lake level question in context of how it
13 affected the water quality.

14 So I would very much want to see
15 those two -- and again, there's other issues
16 obviously, but for me that's just one very strong
17 example, because it's going to be difficult for me,
18 and I am going to constantly in that discussion be
19 probing for, you know, if you leave the water up
20 longer, how does it affect X, Y and Z from an
21 ecological point of view as opposed to, you know,
22 how it affects just, you know, the lake owners'
23 property or whatever.

24 MAYOR EDDIE SMITH: Okay.

25 MR. PHIL COMER: I feel rather

1 strongly, Mr. Chairman, that when you do a survey
2 and you end up with this -- with such a profoundly
3 leading position on this, well, let's don't come to
4 this meeting and suddenly cancel it.

5 MAYOR EDDIE SMITH: That's what I was
6 going to comment on.

7 MR. PHIL COMER: Yeah, that kind of
8 irritates me just a little bit if we say, well, you
9 know, because we want to bring in these other
10 things. I totally agree with what's being said by
11 Dr. Jackson and this gentleman over here, that you
12 can't deal with lake levels by itself, but there is
13 a general group of factors that are interrelated
14 that TVA has already begun gearing up to look at,
15 and I think that's the composite that I would like
16 to keep as a fairly important item on the agenda
17 since it showed up that way here and not have it
18 suddenly negated for some other topic that would
19 usurp this.

20 MAYOR EDDIE SMITH: May the Chair
21 have a moment at this point to try to see where we
22 are. One, we have a public hearing that's supposed
23 to be starting within five minutes. So I want to
24 see if we can pull this together.

25 Now, based on what I am hearing, the

1 survey has listed a number of items here that's high
2 priority, and we seem to have captured under
3 Dr. Jackson's suggestion of doing river management
4 and incorporating these under that topic to do our
5 next -- as our first priority in terms of issues
6 that we will get into, and it seems to me that that
7 would kind of follow the survey kind of in line with
8 what TVA is suggesting.

9 And from what I can hear, it's a part
10 of the -- a lot of the concerns of the
11 constituencies out there, and it seems to me, if we
12 follow that process, that that would be helpful to
13 us, and I want to see if we can get a consensus on
14 that.

15 DR. STEPHEN SMITH: Well, there are
16 two things that I'm a little bit concerned about
17 because I think we're -- there's a lot in this and
18 this is very important.

19 One, I think that, again, there are
20 eight people that haven't turned in the results, and
21 in an effort to strive for that group consensus that
22 we're looking for, I think it's valuable that we
23 maybe try to emphasize to get those other eight
24 people to weigh in so that we really do have this
25 solid feeling of the whole group, that's one.

1 And the other thing is that the
2 second item on here is public lands, and if that
3 gets pulled out and set aside, I am not really sure
4 that -- and we just focus all of the effort on this,
5 that will almost --

6 MR. JAMES CREIGHTON: No one is
7 suggesting --

8 DR. STEPHEN SMITH: Wait. Wait.
9 Wait. Let me finish, please. It was -- I think it
10 was suggested that it might make sense to pull it
11 out and set it aside or at least track it parallel,
12 so I don't know -- I mean, I guess that's one of the
13 questions I have is, how does -- would the public
14 lands piece fit in if we took this strategy and went
15 forward?

16 DR. KATE JACKSON: I certainly did
17 not suggest setting it aside. What I suggested was
18 thinking about them in two hunks. And I guess one
19 of the things -- you can debate for a while what
20 you're going to handle.

21 I think one thing you might want to
22 contemplate is, what does handle mean, and I might
23 offer for you to think about splitting the day in
24 the next meeting roughly in half and asking TVA to
25 suggest some -- I don't want to say education

1 because I don't want to suggest to you that we're
2 smart and you're not, but let me use that term,
3 providing information so that you can get an
4 appreciation for all the things that river
5 management or public lands management include and
6 provide some information on the kinds of programs
7 that we do.

8 And I would suggest, you know, if you
9 look at what we would propose and have that be
10 insufficient, maybe there are some external experts
11 that we could in addition bring in and do some
12 educational things so that we're all talking about
13 the same stuff.

14 And I would not propose that we do a
15 water day and a land day and separate them in time,
16 only because there are issues and policies moving
17 forward within TVA addressing both of those issues,
18 and I would hate for one of them to lag the other.
19 So that would be my suggestion.

20 Now, in addition to that, though, you
21 need to think about, how will the day work with some
22 public input, and I don't want to push TVA stuff on
23 you, so I am trying to be hesitant.

24 MAYOR EDDIE SMITH: Okay. May I
25 respond to his -- I am trying to work us through

1 this. I think that we could go ahead and follow the
2 procedure that I suggested earlier, resend out the
3 survey and we will have that to bring that back in,
4 would that be acceptable to you?

5 DR. STEPHEN SMITH: Yeah, I think it
6 would just be valuable to go ahead and make sure
7 that we have a complete response.

8 MAYOR EDDIE SMITH: Now, the items
9 that would go under river management, because Dr.
10 Jackson will be able to, you know, kind of help us
11 make sure we get all of that appropriately included
12 in that.

13 Now, with that kind of concept, can
14 we come to a consensus on this?

15 MR. JIMMY BARNETT: I want to throw
16 in one additional comment. We were talking about
17 this other thing that Kate had brought up, do we
18 want to consider that? If we do that, then we will
19 be considering basically river management in the
20 morning, land management in the afternoon, and maybe
21 the other ones, that's three major topics, and the
22 first one is going to cover a lot of things, that's
23 fine, I just want to point out that if that's what
24 we elect to do, then that's something that we will
25 have to consider.

1 MAYOR EDDIE SMITH: I hope that as
2 we -- if we can define the scope of what we want to
3 work on and let us try to work together with our
4 consultant and TVA and try to work out the schedule
5 on how we can implement it, but we do want to be
6 working on issues that the Council feels is
7 important to work with.

8 So at this point we're trying to see
9 if, as it has been described, river management as an
10 overall topic with all of the other things
11 interrelated with that system would be our priority
12 of topics to begin with, and we will work out the
13 details on how we're going to deal with that, is
14 that a consensus?

15 MS. JULIE HARDIN: Does this mean
16 that we're going to do what Dr. Jackson suggested,
17 river system balance and management in the morning
18 and land in the afternoon?

19 MAYOR EDDIE SMITH: However we really
20 work that out will take some detail and we'll get
21 into planning.

22 MS. JULIE HARDIN: I also want to
23 tell the hesitant Dr. Jackson that I want TVA stuff
24 pushed on me. I need to be gaining more information
25 and education.

1 DR. KATE JACKSON: Let me ask -- I
2 know you're trying to reach a consensus, but I think
3 we have time to talk.

4 MAYOR EDDIE SMITH: Okay.

5 DR. KATE JACKSON: Several times I
6 have heard the funding word raised, as we talk about
7 that, we can give you some information on
8 benchmarking kinds of data that we have on how these
9 things are paid for elsewhere and generally the
10 amount of money that's spent on them, within those
11 categories. So as opposed to pulling that out as a
12 separate hunk, you can maybe look at that. You
13 might want to think about that.

14 MR. JIMMY BARNETT: I like that
15 particular comment very well, Kate, because I am
16 vitally interested that we get our fair share here
17 and not pay more than we have to pay, however you
18 want to look at it.

19 DR. STEPHEN SMITH: And I would go as
20 far to say that I would venture that there may be a
21 consensus that could quickly form within this group
22 that coming up with a group statement about the
23 responsibility -- the federal responsibility to fund
24 some of these things is something that we may want
25 to undertake as one of the early exercises that we

1 do, and then as a group think about ways that we can
2 potentially interact in the political process to
3 educate those who, for whatever reason, felt it
4 incumbent upon themselves to take that funding away,
5 that this isn't just TVA coming to you and talking
6 about this, but, you know, this is a broad base of
7 stakeholders from the Tennessee Valley representing
8 many different interests. And I think that to me
9 should also be one of those high ticket priority
10 items, right up there with looking at some of these
11 other things, because that can be an ongoing
12 discussion that we think and I think it would
13 also -- to me that's one of the things that I think
14 just about everyone here is going to immediately
15 agree on, that that is an important thing to do.

16 MAYOR EDDIE SMITH: Yes?

17 MR. AUSTIN CARROLL: I would like to
18 ask or suggest to the Chairman, along with TVA, take
19 some discretion, for example, we're saying half a
20 day for river management, you know, even in a broad
21 sense, river management on a half day is very
22 cursory information, and, you know, to get any kind
23 of in-depth information or just, you know, any kind
24 of information you would have any sense about what
25 to ask the question about is going to take you

1 awhile.

2 So, you know, I would like to suggest
3 maybe that -- you know, if you-all look at it and
4 it's a whole day thing, you know, I don't mind
5 spending the day on it and spending the next day or
6 next time we meet on land management or something
7 like that. So I would like for -- my suggestion is
8 that you-all exercise some discretion on scheduling.
9 I think a site visit to a dam is a good idea for
10 probably a lot of the folks.

11 MAYOR EDDIE SMITH: I can appreciate
12 that suggestion, that's kind of what -- if we get
13 the overall topic, we may not accomplish that river
14 management in the next meeting, we may get parts of
15 it, and that's the kind of thing that we would work
16 out with our consultant and the TVA staff on what
17 parts we're going to deal with at the next meeting.
18 If we can agree on the scope of the thing, then we
19 can work out the details and the planning and the
20 future meetings, you know.

21 DR. STEPHEN SMITH: Well, I think
22 it's important -- I guess the only thing I would add
23 to what I think you're striving to drive us towards
24 is that it would be important to me and the
25 constituencies that I am engaged with that there not

1 be this sort of -- I don't think they would fully
2 appreciate separating sort of the water and the
3 land.

4 I think that at least in the next
5 meeting it would be important to show a balanced
6 approach to at least try to get our arms around both
7 of those issues. Now, what may then happen coming
8 out of that is we may want to designate standing
9 committees that then invest more time to really get
10 into the nitty gritty and then begin to identify
11 what needs to be reported back, but I feel fairly
12 strongly that I would like to see that we have at
13 least significant consideration to the public land
14 issues as well as the river management issues at the
15 next meeting and try to frame those.

16 Obviously, if you lump everything
17 into the river management, you can get into, you
18 know, flood control, navigation, and yada, yada,
19 yada, yada, and it's going to balloon very quickly,
20 but I think there's some overarching things that can
21 provide some balance that we can look at them both.

22 MAYOR EDDIE SMITH: My assumption was
23 that all of them is kind of encompassing,
24 particularly the land and the river base. I kind of
25 assumed the scope would include some aspects of land

1 management. Now, how we're going to work it into
2 the scheduling would be something you have to let us
3 try to work out.

4 MR. JIM SUTPHIN: Mr. Chairman?

5 MAYOR EDDIE SMITH: Yes.

6 MR. JIM SUTPHIN: I think if we're
7 not real careful we will spend a major content of
8 every meeting trying to micromanage what's going to
9 occur at the next meeting. Every board that I have
10 ever served on has given a certain amount of
11 latitude to some individual who was in contact with
12 what was going on and with the individuals that
13 served on that board in order to construct an agenda
14 for the meeting.

15 And I feel very comfortable with
16 delegating that authority to you and Dr. Jackson,
17 because every board member has in their board
18 packets a way of communicating with you and letting
19 you know what's important, and I really see that
20 we're going to have a problem -- we may have 20
21 things on the agenda the next time because there are
22 20 people saying we want this to be top priority and
23 not be able to get through one or two of them.

24 And the issue is that basically this
25 committee or this commission was formed at the

1 request of TVA because TVA recognized a need that we
2 could possibly provide some assistance to, and so I
3 think we should listen to what TVA tells us is
4 important for us to discuss as a commission.

5 MAYOR EDDIE SMITH: Okay.

6 MS. ANN COULTER: I wholeheartedly
7 agree with that. I mean, I sense that we're
8 floundering. This really doesn't do me any good. I
9 am not going to read this before the next meeting.
10 I don't think it matters which topic we approach
11 first as long as the whole thing is given a depth
12 and breadth of discussion that we all, at the end of
13 two years, feel satisfied with.

14 I mean, I would be comfortable with
15 TVA and the Chairman coming forward with an agenda
16 for next time. I think additional information -- I
17 have heard that from every comment around the room
18 this afternoon that some additional information is
19 called for.

20 I feel confident that if that is
21 provided in a way that's lacking or unobjective that
22 could be called by somebody in this group. I would
23 like to see the Chair and TVA and the facilitator
24 propose for us before the next meeting some
25 structure for the discussion.

1 I think it's -- with some additional
2 information, we will pretty quickly get down to what
3 the issues are. I wouldn't even mind if those
4 issues weren't proposed at that meeting, that we
5 could either then add to or go on and debate, but I
6 think to arbitrarily at this point set out sections
7 of the next meeting by topic is premature.

8 MR. PHIL COMER: I agree.

9 MR. JIM SUTPHIN: I agree also.

10 MAYOR EDDIE SMITH: Okay. I think
11 the issue of river management is what we were trying
12 to get us focused on, and hopefully everybody agrees
13 that's something we will deal with. Now, the
14 details of it, that will be worked out.

15 If that's a consensus -- are there
16 any objection to that?

17 If not, then we will say that's a
18 consensus of what we will do, and we will work out
19 the details later. Thank you very much.

20 I think we need to do the public
21 hearing. Does anybody need to take a two-minute
22 break? I think individually you could do that, but
23 we will proceed now with the public hearing.

24 I think -- I assume everyone who
25 wants to speak before the group has turned in the --

1 I think everyone turned in the cards, and I think we
2 can set up the mike here, and we will get into the
3 public participation at this time.

4 We do want to let you know that we
5 appreciate you being here and we want to hear from
6 you and hear what your concerns are. So the first
7 person that I have on -- oh, yeah, we want to be no
8 more than five minutes per person. So we will call
9 a time limit on you. Hopefully, you can keep it
10 under five. When you get to five, we will call time
11 on you. So, please, try to be prepared to get your
12 comments in in five minutes.

13 MR. AL MANN: Mr. Chairman, how many
14 do we have?

15 MAYOR EDDIE SMITH: Basically, I
16 believe, nine. That's how we came up with five.
17 Nine names here, I believe.

18 The first person is Glen Bibbins, is
19 that correct? Right over there, Mr. Bibbins.

20 MR. GLEN BIBBINS: Good afternoon.
21 Thank you. I have been given my five-minute
22 warning, and I promise not to filibuster.

23 My name is Glen Bibbins. I do
24 understand that river management encompasses an
25 integrated system of interrelated variables, I

1 understand that very well.

2 I am a member of L.O.U.D., Landowners
3 and Users of Douglas Lake. I am here today to
4 represent that organization, as well as a tributary
5 lake council, which includes lake users representing
6 all of the east tributary lakes.

7 These 13 lakes have 2,762 miles of
8 shoreline. Lake users would like to see recreation
9 receive increased priority in TVA operational
10 policies. I am requesting that the Council convey
11 to TVA our desire to delay the annual draw down of
12 these lakes from August 1st to October 1st of each
13 year.

14 I appreciate this opportunity to
15 suggest to the Council that they reinforce the
16 recommendations of the GAO report of the future
17 study of lake levels, which was published in May
18 1999. That report concluded that a reexamination of
19 TVA policies impacting lake levels is warranted.

20 The report called for formal and
21 continuing communication with the public, that's one
22 goal of your meeting today. These communications
23 should be an important factor in TVA's reexamination
24 of lake levels. Dialogue is needed, too.

25 No. 1: Further educate TVA regarding

1 concern and needs of stakeholders that must be
2 considered.

3 No. 2: Give TVA opportunity to
4 explain the operation of its integrated system.

5 No. 3: Establish realistic
6 expectations of the time required to reevaluate
7 changes and policies that will impact lake levels.

8 No. 4: Keep the public informed of
9 TVA's ongoing activities in progress.

10 No. 5: Increase the overall
11 credibility of the reexamination process.

12 Past evaluations by TVA have tended
13 to emphasize cost of potential change, while studies
14 performed by non-TVA organizations have identified
15 localized economic benefits.

16 In brief study -- in brief summary,
17 pardon me, after careful study, both the GAO and
18 lake users have concluded that further lake level
19 study should be done. The process should include
20 the public. Both cost and benefits must be
21 considered. It should be done in a timely manner.

22 Thank you for your interest in this
23 important issue.

24 MAYOR EDDIE SMITH: Thank you,
25 Mr. Bibbins.

1 The next person is David Monteith.

2 MR. DAVID MONTEITH: Thank you for
3 giving me an opportunity to come and have a say in
4 this meeting here. My name is David Monteith and
5 I'm vice chairman of the Swain County Board of
6 Commissioners and also Chairman of the Fontana Lake
7 Users' Association.

8 We're a group of concerned citizens
9 who want to see the use of Fontana Lake improved.
10 Our concerns are to convince TVA that a September
11 draw down can help Swain County economically to
12 improve the water quality by supporting a no dump of
13 waste on Fontana Lake and a quarterly clean-up on
14 Fontana Lake, also a lake watch and more productive
15 fishing, and support a Lemon's Branch boat access on
16 Fontana Lake, which would provide Fontana Lake with
17 year-round access.

18 A study completed by the Fontana Lake
19 Users' Association shows that a September draw down
20 would put an additional \$823,000 into Swain County's
21 economy. Also, a September draw down would increase
22 fishing by 46 percent in use of the lake.

23 Former U.S. Senator Terry Sanford did
24 a study of six western North Carolina counties, a
25 total of 1,500 new jobs, \$65,000,000 in recreational

1 activities, and \$41,000,000 in business activities
2 could occur with this September draw down. U.S.
3 Congressman Charles Taylor reported a brief county
4 study of 780 new jobs, \$18,000,000 on business and
5 household activities, and Swain County alone 3.5
6 million dollars.

7 Swain County has lost 68,000 acres to
8 the TVA Fontana Dam project in the 1940's. Around
9 11,000 acres were used for the Fontana Dam, and the
10 remaining 44,000 acres went to the National Park
11 Service and the U.S. Forest Service.

12 Swain County lost 46 percent of its
13 taxable land and jobs. We also lost 20 churches, 10
14 hotels, 15 schools, two hospitals, two gas stations,
15 two copper mines, ten grocery stores, nine train
16 depots, 15 blacksmith shops, 15 sawmills, 10 post
17 offices, 15 schools, three doctors, and 15 grist
18 mills due to the construction of Fontana Dam.

19 There's no doubt growth of Swain County has been
20 limited because of the TVA project. Swain County
21 does not receive any power from TVA.

22 Former U.S. Senator Terry Sanford
23 also made a statement that we believe very strongly.
24 He said Swain County has been donating water
25 resources for the benefit of TVA and other

1 downstream states, it's time for Swain County to
2 receive something economically from TVA.

3 I appreciate your time.

4 MAYOR EDDIE SMITH: Okay. Thank you
5 very much.

6 For those Tennessee fans, you may
7 want to know that Tennessee won the basketball game.

8 Bill Dyer is the next person.

9 MR. BILL DYER: My name is Bill Dyer.
10 I'm a towboater from Paducah, Kentucky. I move
11 25 percent of the barges that come to and from the
12 Tennessee River. We feel like you-all have convened
13 a regional interstate highway group and left out the
14 barge lines.

15 I can't imagine having this regional
16 group without having -- without having a barge line.
17 It would be just like you not adding the truckers to
18 a highway thing. So I ask you to enlarge your body
19 or do something to get someone that's knowledgeable
20 and that's in the towboat business that's in this
21 group. TRVA would be a good place to start. Jan
22 Jones would be a wonderful candidate. We have
23 several others she could select.

24 We have about three or four -- we
25 have four major issues. We need 18 inches more on

1 the minimum added to the minimum levels of the lake
2 from Kentucky Dam to Knoxville. If we had 18 inches
3 more water added to the winter pool, we would be
4 able to navigate without too much problem and you
5 wouldn't hear too much from us.

6 The other item we want is we want a
7 limited or no -- zero discharges allowed from the
8 dams. We get to the lowest place in the water and
9 the water gets turned off and we have a very
10 difficult time getting through.

11 It's limiting the capacity of the
12 Tennessee River dramatically. It's unnecessary. We
13 just need water in that ten miles, and I think we
14 deserve to have it. We used to have it. This is a
15 fairly recent phenomenon. The zero discharge is of
16 recent phenomenon.

17 And the fact that the river industry
18 has increased the size of its boats and barges,
19 they're much more efficient, I move a ton -- just
20 for knowing, I move a ton three miles to take in a
21 penny, that's why we are needed. That's why we
22 should be given some consideration. That's the
23 cheapest way you can move anything. You can't move
24 it with a sail that cheap.

25 So I just want you to realize that

1 we're a big part of the economy of this valley, and
2 I wish that you would get a member of the towboat
3 community on your regional group here. And failing
4 that, somehow engage us in this effort, because I
5 think we are an integral part.

6 And I didn't hear today in the whole
7 discussion, I never heard boat or barge mentioned
8 one time. Navigation was mentioned, but nobody
9 really has any feel for the towboaters, and we
10 really need it. This river is you guys' lifeline to
11 the economies.

12 One thing to say, TVA probably has
13 done the best job that any agency has ever did since
14 the Romans built the Aqueducts. They did a
15 wonderful job. They took a kerosene lantern, rutted
16 dirt roads, and turned it into a rural valley. They
17 did it and they deserve the credit for it. My hat's
18 off to them and I lived through it all. I started
19 when I was 12 years old running a paddle wheel boat
20 on the Tennessee River. So I'm with you up until
21 where you started not letting us have enough water
22 to operate on.

23 Thank you.

24 MAYOR EDDIE SMITH: Okay. Thank you.

25 Gail Holland.

1 AUDIENCE PARTICIPANT: She's not
2 here.

3 MAYOR EDDIE SMITH: Armon Nash, did I
4 get it right?

5 MR. ARMON NASH: You got it right
6 close enough. I appreciate the time to speak to
7 you. My name is Reece Nash. I am from the
8 Cookeville Dock on Centerhill Lake. I am the
9 President of the Tennessee Marine Operators'
10 Association.

11 We have had some meetings with TVA in
12 the recent history, and they have been very
13 informative and productive, I hope. I hope that
14 this Council can get some things accomplished that
15 we are striving for also, primarily the lake levels
16 is what my operators are for. This is our primary
17 and only goal. I am not here to browbeat you.

18 I brought a little fax sheet and some
19 stuff to give you, our Board of Directors' numbers
20 and such, I took it back to the truck, you have got
21 too much paper on the desk already.

22 We will be E-mailing out to you other
23 information. If you need anything pertaining to
24 marinas information-wise from use, let us know. Our
25 E-mail address will be on there. Our Board of

1 Directors, all of our phone numbers will be on the
2 information we will be sending to you. If you need
3 us for any reason, we will be at your disposal.

4 This might be my first and last time
5 to speak to you, so basically it is, we appreciate
6 the job you do. I wouldn't be in your seat for it.
7 It's going to be a rough job for you. It's a lot of
8 time and a time-consuming effort, and I applaud you
9 for your participating in this, and I appreciate the
10 results that you will be doing.

11 I feel like that this has a potential
12 of helping the East Tennessee reservoirs, including
13 the ones in Virginia and Georgia dramatically if you
14 can do something with the lake draw downs. This was
15 your top issue that you came back with on your
16 questionnaire, it could not be your total one when
17 all the members are surveyed, but that, I think,
18 when you get out to the public will be the first
19 thing you hear. This will not be for the lake
20 levels, but your lake levels affects your tourism.
21 It affects your transportation through the area. It
22 affects the economic impact of the entire region.

23 The Upper East Tennessee area, we
24 have got some marine operators up there in that
25 organization that really have a hard time after

1 August 1 because the lake draw downs start so early.
2 That's the point that we're here for. I'm here to
3 support my organization, my TVA lakes, which I am
4 not part of, but I have got a real good education on
5 you in the last few months.

6 Again, if there's anything we can do,
7 let us know. I don't intend to take any more of
8 your time up. I appreciate it.

9 MAYOR EDDIE SMITH: Thank you.
10 Ronnie Pritchard.

11 MR. RONNIE PRITCHARD: My name is
12 Ronnie Pritchard. I am a salesman for Ingram Barge
13 Company and Ingram Materials Company. My territory
14 is the Tennessee Cumberland Rivers, that's primarily
15 what I do is run up and down that bank and watch
16 Bill Dyer's towboats go up and down that bank.

17 My problem here with this group is
18 the same as Bill's, it's the lack of representation
19 that the towboat industry has, and also your heavy
20 industry that is located along the Tennessee River.
21 We're not represented here with this group, and I
22 felt like that that was two areas that you need,
23 because the barge lines needs TVA and TVA needs the
24 barge lines.

25 And also, the Boeing Plant needs TVA,

1 so does Trico Steel. As some of you the know, the
2 Boeing Plant is probably the third largest building
3 under one roof, I don't know whether it's the third
4 or which one it is, located in Decatur, Alabama.
5 They just finished building -- or they are in the
6 process of building a 310 X 80 foot vessel to
7 transport rockets from Decatur, Alabama to New
8 Orleans to the Gulf back around to Florida,
9 wherever, and that vessel will go up and down the
10 Tennessee River. It probably will go up and down
11 the Ten-Tom.

12 It has -- eight foot is all the draft
13 that it has. When it gets to the Gulf, it will go
14 down to 15 foot, balance it out to where it can
15 travel on the oceans. Navigation is very important
16 to this valley. We feel like that we should have
17 been represented.

18 Let me tell you one quick thing about
19 Ingram Barge Company, and then I'll hush. We're the
20 third largest carrier on the inland waterway system.
21 TVA is Ingram Barge Company's largest customer. We
22 do more than 13,000,000 tons of coal for TVA on a
23 yearly basis. We also move aggregates on the
24 Tennessee River. So we are a transporter. We have
25 1,500 barges, 45 towboats. Navigation is very

1 important to us.

2 I don't envy you folks, but let me
3 offer you this, if any of you want to get on a
4 towboat, give me a call, and I will show you what a
5 towboat is and what a barge is. We'll even take
6 them through one of these locks. We'll even lock
7 you up and lock you down.

8 Let's see which one? Wilson, Wilson
9 is the biggest one, the 100 foot. The last time I
10 took a customer that wanted to ride, he wouldn't do
11 it because it's about a 97-foot rise as far as up
12 and down, but we would be glad to do it, just give
13 us a call.

14 Thank you.

15 MAYOR EDDIE SMITH: Thank you. James
16 Jardine.

17 MR. JAMES JARDINE: Hello there. My
18 name is James Jardine, I live on Norris Lake in a
19 subdivision, North Shores, it's in Union County. I
20 happen to be the president of Homeowners'
21 Association for our neighborhood. And when this
22 meeting came out, our group unanimously said, hey,
23 we need to have some representation here, and here I
24 am, I'm it.

25 Our concern is -- we understand the

1 need to balance all of the needs of the lake system,
2 navigation, fishing, recreation, power generation,
3 flood control, et cetera, et cetera.

4 Of course, like others that have
5 spoken before, we have a concern about draw down and
6 the earliness of it. You start August 1 and there's
7 a heck of a lot more summer left.

8 One person said do it September 1,
9 one said October, I could say February or something
10 like that, but I guess that probably wouldn't fly.
11 So I would settle back with October, please.

12 I would point out to you folks that
13 priority -- I just found out that this was just in
14 1991 that the draw down started, I guess it was May,
15 I may be wrong about that, but that's generally the
16 point. And we're able to live from May to August,
17 and I would like think we could live -- TVA could
18 live with August to October to delay that draw down.
19 It would be great for recreation, great for the
20 fishermen, keep a lot of people quiet from their
21 bellyaching. It would be good for the community and
22 good for economics. We would receive a lot of
23 income from the benefits.

24 I would also suggest that part of
25 TVA's motivation surely has to be the generation of

1 power. I look at that 50 feet or 40 feet of water
2 that you drop each year as a resource, as money in
3 the bank, and it's a case of, when do you want to
4 spend the money? Do you want to spend it on
5 August 1 or do you want to spend it on October 1?
6 So you can just keep it in the bank, please, and let
7 it drive those generators 60 days later.

8 I would appreciate your
9 consideration. Thank you very much.

10 MAYOR EDDIE SMITH: Okay. Thank you.

11 Is there someone here by the name of Retton or
12 Loretta? Don Winosh, nobody by that name? Okay.
13 We thought this was someone who wanted to come
14 before the Council on the back of the card.

15 I think that includes everyone who
16 had wanted to come before the Council. Yes?

17 MR. BILL DYER: I imagine this is
18 improper, but I feel obligated to say that we also
19 need to put Chickamauga lock in some kind of
20 consideration here. If we don't, it's a shame to
21 sacrifice some of the best waterfront property in
22 the country.

23 All you have got to do is go down and
24 look at what's going on at Decatur and Guntersville,
25 I'm sure it would happen upriver if we had a

1 reliable lock that was adequate, and what we're
2 faced with now is it being closed and shut and that
3 cutting the upper river completely off within the
4 foreseeable future. I think it's got nine years
5 left on a ten-year sentence, and that's something
6 that I think needs to be tackled with this group is,
7 how in the world that can be taken care of and needs
8 to be started pretty soon.

9 MAYOR EDDIE SMITH: Okay. Thank you
10 very much. We'd like to express our appreciation to
11 those of you who have come to share your opinions
12 and concerns with this Council, and we assure you
13 that we will take due consideration to all of your
14 suggestions and recommendations that you have made
15 and we will work on it, and at some point maybe we
16 will be getting back to you and letting you know
17 what the outcome is on those suggestions.

18 We're kind of shifting our schedule
19 around a little bit at this point, and I think we
20 will move to the web page at this time and get that
21 done, and then we will come back and look at a
22 couple of housekeeping items that we need to do. So
23 you're going to do that for us, Jim.

24 MR. JIM CREIGHTON: Yes. Joel Haden
25 from TVA has already set up a web page for the

1 Council, and he wants to present it to you, make
2 sure you have the proper URL, so that we're computer
3 literate here, the address for it, talk about what
4 it can do and so forth.

5 Joel, are you ready to fire?

6 MR. JOEL HADEN: We're real close,
7 Jim. Can everybody hear me? Probably the easiest
8 way to find the website that we have set up is by
9 going to TVA's home page, and it's real easy to
10 remember the URL or the address for that. It's
11 www.TVA.gov.

12 The website is an example of some of
13 the stuff that Kate has put in the works to support
14 this committee, some of the infrastructure. We have
15 a lot of documents that are going to be produced by
16 this committee and have been produced already.

17 Anyway, there are a couple of
18 things -- there are a few things that the website
19 will do for this committee that I think will be
20 helpful. Just based upon what I am hearing in this
21 meeting, one thing it will do is give your
22 constituency a place where they can come to get
23 information about the Charter of this group and what
24 you're trying to accomplish. It will give them a
25 ready access to meeting announcements, meeting

1 agendas, and minutes, and transcripts that come out
2 of these meetings.

3 And probably most important of all,
4 it will give them a place to find out about each of
5 you, because we have got a bio out there that you
6 have seen about each of you, and a way they can send
7 you an E-mail. Rather than talking more about it,
8 let me just show you.

9 This is TVA's home page, and let me
10 scroll down here on the home page, because this is
11 an important thing that TVA is doing. We have got a
12 paragraph about the Regional Council and a link to
13 the pages that we have set up.

14 I am just going to use this right
15 here. You click on that, and this is the main page
16 that you find. What it does is it talks about the
17 purpose of the Council and it gives you links to
18 some key pieces of information, such as the Charter.
19 This is basically the text of the Charter, which I
20 think all of you have seen. You can scroll down
21 through it.

22 We have the meeting agenda out there,
23 and we had a very brief agenda until a few days ago.
24 As soon as we got the full agenda finalized, we put
25 it out there. So that's a neat thing about this, we

1 can quickly put information out where everybody can
2 get to it.

3 And we have found that there's some
4 questions that people ask about this, this type of
5 activity, so we have addressed those. So I am sure
6 there will be some additional questions that come
7 up, and we can put those out here, if it makes sense
8 to the Council.

9 And as I said, this is a great place
10 where people out in the community can find out who
11 you are and what you're passionate about, and link
12 into you, and I guess I didn't click onto that link,
13 yeah, there it is.

14 Basically, what we have got is a list
15 of all of the members, all of you. And if you click
16 on your name, let's click on Mr. Baker's name, we
17 can find out about Mr. Baker. And if we want to
18 tell Mr. Baker something, we can go down here, let
19 me just do it real quick, say -- I will type in my
20 name and hit a tab here and I will type in my E-mail
21 address, and then I hit another tab and I can type
22 the message in. I will just say "hi" to Mr. Baker.
23 And if we scroll down, there's a submit button. We
24 just click that button and the E-mail goes off to
25 Mr. Baker.

1 Actually, what it does is it goes to
2 Sandy Hill, who will make sure all of the E-mail is
3 collected and gets out to people as we receive it,
4 at least on a daily basis, and we can adjust that if
5 we need to. As we get into this we may find some
6 other ways to do things that work better. That will
7 allow us to get facts to those of you who do not
8 have E-mail comments.

9 I imagine this will get some use
10 because lots of people are beginning to rely on the
11 website, and also TVA's Chairman recently sent out a
12 letter to about 3,500 folks in the community that he
13 felt would have an opinion about what this Council
14 is doing, and he mentioned that a great way to find
15 out about the Council and the Council members was to
16 go to this website, and so I have a feeling we're
17 going to hear some things.

18 So this is a great way for you to
19 connect with your constituents, find out what they
20 are doing. You can point people to this and have
21 them provide feedback and so forth.

22 A couple of suggestions. I think as
23 a group it would be wise if you had a -- some
24 agreement about how you want to respond to E-mail.
25 Are you always going to respond to your E-mail? Are

1 you going to do it within two weeks? Are you going
2 to respond directly back to folks?

3 I think it would be good for you-all
4 to have a protocol about that, so that if somebody
5 comes to this website and sends a message to you,
6 they can count on getting a response, and that will
7 make it more -- this more credible to the folks out
8 in the public. So that's what we have got out on
9 the website.

10 Are there questions or comments or
11 suggestions?

12 MAYOR EDDIE SMITH: Any questions?

13 MAYOR THOMAS GRIFFITH: How do you
14 access it, again, please?

15 MR. JOEL HADEN: If you go to --
16 there is a piece of paper in the material that I
17 gave you.

18 MR. JIM CREIGHTON: There's a
19 one-pager.

20 MR. JOEL HADEN: A one-pager. At the
21 bottom of the page is the address, the URL.

22 MR. JIM CREIGHTON: If you forget the
23 page, go to TVA.gov.

24 MR. JOEL HADEN: Any other questions?

25 MAYOR EDDIE SMITH: Okay. Thank you

1 very much. We have two other items that we need to
2 get covered before we get out of here in case you're
3 getting a little impatient.

4 One is meeting schedule. And if you
5 look at the last page in the back of the material
6 you will see we had about three dates there for the
7 next three months, and if you have that, you can add
8 July 28 to that in Tupelo.

9 MS. MILES MENNELL: What was that?
10 I'm sorry.

11 MAYOR EDDIE SMITH: July the 28th in
12 Tupelo. We have to work this schedule around Kate's
13 availability and Jim's as well, and these dates we
14 tried to come up with -- we tried to avoid major
15 conventions and things that we know of. So
16 hopefully we can fit into these dates and times to
17 be able to meet on this schedule.

18 Any comments about the schedule?

19 MR. AL MANN: April the 13th is less
20 than a month, is there any way that can be moved
21 back just a little?

22 MS. ELAINE PATTERSON: I have a
23 conflict.

24 MR. AL MANN: The April one, I
25 mean --

1 MAYOR EDDIE SMITH: Towards the end
2 of April?

3 MR. AL MANN: Well, it's less than a
4 month, even seven days. I don't know.

5 MAYOR THOMAS GRIFFITH: Mr. Chairman,
6 do we need to meet this many times? This is getting
7 to be once a month. I didn't really sign on to meet
8 that many times.

9 MAYOR EDDIE SMITH: This is for
10 discussion. We felt that in order to get us up and
11 going we needed to do that, and then after that we
12 would not meet as often, but it's your decision, you
13 know, this is a recommendation that comes from us.

14 MR. JIM CREIGHTON: Let me comment on
15 the April date. That's actually the hardest one to
16 change because it's the one that everybody's dates
17 are most locked in already. I think your option
18 is -- because I have got -- I mean, we had it for
19 last week, that didn't work. Then we moved it up a
20 week and that didn't work. Now, we're back to the
21 13th, but what we -- we were trying to get the three
22 of us and any known dates, because we know that
23 we're never going to get something everybody can do.
24 So I think the question is whether you want to skip
25 to May or do you want -- if we're going to do April,

1 then probably the 13th is good.

2 MR. BRUCE SHUPP: Skip to May.

3 MAYOR THOMAS GRIFFITH: Skip to May.

4 MR. PHIL COMER: Would it help any,
5 Jim, just to have a show of hands of how many could
6 make it April 13th, that would give you some idea
7 whether you would have a significant majority or
8 not?

9 MAYOR EDDIE SMITH: Well, I know that
10 the idea he just raised about preparation, the short
11 time could be a problem, getting prepared for
12 April 13th, so it may be a good idea to skip to May,
13 if there's not a lot of objection to that.

14 DR. PAUL TEAGUE: Are you talking
15 about skipping April?

16 MAYOR EDDIE SMITH: Yes.

17 DR. PAUL TEAGUE: I think it will
18 take a month to read all of those little books you
19 gave us.

20 MR. AL MANN: We have a lot of
21 material to absorb.

22 MAYOR EDDIE SMITH: Is that a
23 consensus that we may just let the next meeting be
24 in May? No objection to that.

25 MS. JULIE HARDIN: Does that mean

1 you'd also change the location back to Knoxville of
2 the May meeting or would we go to Huntsville?

3 MAYOR EDDIE SMITH: Well, was there
4 any particular reason why we were going to
5 Knoxville?

6 MAYOR THOMAS GRIFFITH: Just stay
7 with Huntsville for the May.

8 MAYOR EDDIE SMITH: Huh?

9 MAYOR THOMAS GRIFFITH: I assume we'd
10 just stay with Huntsville for the May meeting,
11 wouldn't we? It's obviously set somewhere.

12 MR. JIM CREIGHTON: Could you give us
13 some freedom for that because we also checked -- we
14 also have a facility that we know can be available
15 for each of these dates, and if we go back and look
16 at this we may -- we may need to make some calls
17 based on available facilities, if you can let us
18 make that call.

19 MAYOR EDDIE SMITH: Otherwise, we
20 will leave it with Huntsville, right?

21 MR. JIM CREIGHTON: We will just have
22 to see where there's a good meeting facility. We
23 knew we had one for each of these dates.

24 DR. KATE JACKSON: I would suggest,
25 let's look at the agenda and determine where might

1 be the appropriate place. We may, in fact,
2 determine that if we want to talk about the river
3 system, it might be interesting for you to see the
4 Forecast Center where we actually do a lot of the
5 work of making the decisions about where to move
6 water. So let's look at the agenda and let us look
7 at the available meeting locations and then get a
8 recommendation to you.

9 MR. PHIL COMER: But April is out?

10 MAYOR EDDIE SMITH: Yeah, I think
11 that's a consensus that we will not have the April
12 meeting.

13 MAYOR THOMAS GRIFFITH: And the May
14 meeting is still the 25th, right?

15 MAYOR EDDIE SMITH: The 25th, but the
16 place we will decide.

17 MAYOR THOMAS GRIFFITH: But you have
18 got to determine where at some point in time.
19 Hopefully, it will be Huntsville.

20 MR. AL MANN: So June the 22nd and
21 July 28th, but again, where?

22 MR. PHIL COMER: Tupelo, Mississippi.

23 MR. AL MANN: Is that going to change
24 where?

25 MAYOR EDDIE SMITH: Well, again, we

1 will work out --

2 MR. AL MANN: The dates are set?

3 MAYOR EDDIE SMITH: The dates are set
4 hopefully and then we will work out the place.

5 These are the suggested places. The staff will have
6 to work out whether they can get the facilities and
7 all of that. We just started working on this last
8 week. In fact, we were working on this last date up
9 until today.

10 Okay. All right. So that takes care
11 of schedules, at least for the next four months
12 date-wise. Then we will see what we need to do
13 after that.

14 MS. JULIE HARDIN: Four months?
15 You're right, excuse me.

16 MAYOR EDDIE SMITH: Okay. The next
17 item is we have -- this is the time for you, as
18 Council members, to say what's on your mind about
19 this whole process. So we would like to open up now
20 for comments that you have, any suggestions about
21 the meeting, about the process or anything we have
22 done today.

23 So who wants to get started?

24 MR. BILL FORSYTH: I will just note
25 that it seemed to add some perspective that every

1 one of the speakers -- there was nothing said about
2 anything but lake levels, except for the one comment
3 on the Chickamauga lock.

4 MAYOR EDDIE SMITH: So lake levels we
5 know is a big issue, it's way up there. Okay.

6 MAYOR THOMAS GRIFFITH: Mr. Chairman,
7 I, first of all, commend you for your handling of
8 the meeting and certainly in giving the people here
9 the opportunity to express feelings. Now, what to
10 do about the lake levels and all of that, I don't
11 have the answer, but I do feel that we have given --
12 we have been at least an audience for them to vent
13 some of their obvious frustrations, and I think
14 that's part of what we're going to need to be about.
15 I don't know that we have solutions to all of it.

16 MS. JULIE HARDIN: I would like to
17 know what the feeling of the group is regarding the
18 towboat and the barge people being represented on
19 this Council?

20 MAYOR EDDIE SMITH: Okay. Any
21 comments on that?

22 DR. KATE JACKSON: Let me make one
23 comment. Elaine hasn't jumped up to her microphone.
24 Elaine represents a direct serve customer. As she
25 mentioned, she also is a big navigation customer.

1 She is also on the Board of TRVA, which is that
2 association that represents the towboat industry and
3 the shippers. So I don't know if you want to say
4 more than that, but I think it's important that we
5 understand that she is on their Board of Directors.

6 MS. ELAINE PATTERSON: I do
7 represent -- I'm a shipper. We ship products
8 through them. I think we do need to draw on these
9 folks for their navigation expertise and their
10 towboat operation. I think we do need them to
11 provide input to us because they have a unique
12 perspective.

13 MR. JIMMY BARNETT: I would just like
14 to note that I am also a member of TRVA. I am not
15 on the Board, per se. Well, I guess I am, come to
16 think about it.

17 MAYOR EDDIE SMITH: So we have two
18 members of this Board affiliated with those
19 organizations.

20 MS. JULIE HARDIN: So they would be
21 the links to give us that input?

22 MAYOR EDDIE SMITH: Hopefully, for
23 the time being anyway. I don't know exactly how --
24 I mean, you know, some people are appointed by
25 governors and others are recommendations of the TVA

1 staff and all of that. So I don't know what the
2 process is to go back and how to get that done. I
3 don't know if we, as a Council, has a whole lot of
4 authority. We may can make some recommendations on
5 it, but --

6 MR. AL MANN: Elaine, are you saying
7 that they should be represented or should not be
8 represented? I mean, are you saying you can
9 represent them? I mean, I don't quite understand.

10 MS. ELAINE PATTERSON: Well, I mean,
11 two of us here are members of that organization, so
12 we can link back to them. What I am saying is they
13 have some unique expertise for us to draw on and we
14 should keep that in mind.

15 MAYOR EDDIE SMITH: When we get to
16 setting up subcommittees and things like that on
17 these particular issues, they would be the kind of
18 person you would want to bring in.

19 MS. JULIE HARDIN: Mr. Chairman, I
20 have a question about process. These people who
21 spoke today, will they receive a letter explaining
22 that we do have two members of their organization on
23 this Council or will we ever talk to them again?

24 MAYOR EDDIE SMITH: I would certainly
25 think that maybe it would be a good idea to inform

1 them that for the time being at least they can --

2 MS. JULIE HARDIN: I do, too.

3 DR. STEPHEN SMITH: I also -- and I
4 didn't say anything, but I think it's important that
5 if we ask for public comment that we show some
6 responsiveness. I mean, there is nothing more
7 frustrating than to come and sit through a day long
8 meeting and stand up and get five minutes or less,
9 have everybody just nod their head and say, thank
10 you, walk out the door, you know, and it's over,
11 that to me is not meaningful public participation.

12 I wanted to ask some questions. As a
13 matter of fact, I had several questions that I
14 jotted down in association with some of the things,
15 and I guess I would like to know, and I didn't know
16 if it was appropriate, whether we should engage the
17 speaker at the time.

18 I, for some reason, was under the
19 impression that we wanted to go through the speakers
20 and there was going to be a chance to engage them in
21 questions. Maybe I misunderstood the agenda.

22 This whole issue about the -- like
23 the zero discharge, I guess, below Kentucky Lake --
24 I mean, between Kentucky Lake and the Ohio River, is
25 that what they're talking about?

1 DR. KATE JACKSON: It, in fact, is
2 not clear to me what he was talking about.

3 MR. BRUCE SHUPP: I was lost there.

4 DR. STEPHEN SMITH: So, I guess -- I
5 mean, I share the responsibility, but I think we
6 need to engage these people. I think that was
7 Mr. Dyer that brought that up, and maybe we could
8 find out, because I didn't understand fully why he
9 needed 18 more inches of water in the winter pool.
10 I think that's an important concept to find out
11 about.

12 You know, I was not aware that there
13 weren't any regulations about pump out stations, I
14 guess, on Fontana, are they directly discharging
15 into the lake, is that what one of the fellows,
16 Mr. Monteith was -- I don't think he's here anymore.

17 MS. JULIE HARDIN: No, they have all
18 left.

19 DR. STEPHEN SMITH: Yeah. So, I
20 guess, my mistake, but we should engage them.

21 DR. KATE JACKSON: You can ask them
22 questions.

23 DR. STEPHEN SMITH: And build that
24 into the timing of doing it?

25 MS. JULIE HARDIN: Absolutely.

1 DR. STEPHEN SMITH: Because I would
2 hate for that to get out that, yeah, you can come
3 and talk to them, but all they are going to do is
4 nod their head and you don't ever hear from them
5 again.

6 MS. JULIE HARDIN: It's very bad
7 public relations for this newly formed Council, very
8 bad if we don't respond.

9 MR. JIM SUTPHIN: Mr. Chairman, one
10 thing about that, if you start engaging them at the
11 time they're expressing concerns to the Council,
12 you're going to run out of time real quickly. It
13 may be important to inform those people that the
14 Council members may want to discuss their thing --
15 if this session right now continues on future
16 agendas, that they should remain until the Council
17 has a chance to speak and may want to ask some
18 questions of them.

19 How would you ever know how much time
20 to allow anyone if you didn't know how many
21 questions were going to be asked back to them?

22 MAYOR EDDIE SMITH: Right, that's
23 what I was thinking, after all the presentation, we
24 would come back and let the Council ask questions
25 while they are there.

1 MR. JIM SUTPHIN: Also, you may have
2 done it, but when you gave them the cards, did you
3 get their mailing addresses or some way -- it might
4 be important --

5 MAYOR EDDIE SMITH: There's a place
6 on there for them to put their address.

7 MR. JIM SUTPHIN: Include that so
8 when they are signing up to speak we have a record
9 of how to get in contact with them.

10 MAYOR EDDIE SMITH: That information
11 was there. I think most of them put it on.

12 DR. STEPHEN SMITH: I think that
13 limiting obviously the question and answer is very
14 important. I guess the thing about it is, if we're
15 going to build time in, we need to build the time in
16 directly after they finish, because it was
17 misleading, I guess, to them when they saw us go on
18 and talk about the web page, many of them got up and
19 left because they didn't really recognize there was
20 an opportunity.

21 So I would suggest -- I mean, I agree
22 with you, you can get into a long debate, and that's
23 not probably the proper form to do it at this point,
24 but I think we ought to at least be able to engage
25 in clarifying questions, because, like I said, a

1 couple of them presented us information and we don't
2 have a clue what they are talking about.

3 MS. JULIE HARDIN: I think our
4 Chairman can limit that. He can know when we're
5 getting too involved and move on to the next person.

6 MAYOR EDDIE SMITH: I appreciate the
7 suggestion, and certainly we will try to work on
8 that in the future. It seemed to me that today to
9 handle the situation would be that a letter go out,
10 particularly to the person who was concerned about
11 representation from the barges, that while we -- the
12 essence of it would be that we, as a Council,
13 have -- did not do the appointing and we were
14 concerned about their concerns. We would inform
15 them that there are two persons on the Council and
16 they would have input into their issue and their
17 representation may be worked out at some future
18 date, if possible. I think something of that nature
19 should go out on that.

20 Now, on the issue of water level,
21 that was the other big issue, right?

22 MS. JULIE HARDIN: And the marina.

23 MR. AL MANN: That was water lever.

24 MS. MILES MENNELL: I have a
25 question. For example, David Monteith who was here,

1 his County Administrator, Linda Cable, serves on my
2 Board of Directors. So how I handled that was
3 simply to ask for a copy of the comments they had
4 made because they are within my particular
5 constituency so that I could respond to some of
6 those concerns through my membership on the Council
7 and rather -- this is a question, but would it be
8 more appropriate, rather than the Council sending
9 out a letter about our makeup and composition, would
10 it be more appropriate for me, for example, to
11 remind David that I, in fact, represent his
12 interest, just as Elaine might be -- it's a
13 question, it may be more appropriate for Elaine to
14 remind some of these gentlemen that she represents
15 their interest and would be glad to work with them,
16 it's a question.

17 MR. PHIL COMER: No. I think we have
18 to go back to the earlier discussion we had on media
19 contact, I think it's got to be either the Chairman
20 or his designee that would communicate with these
21 people. We, as Council members, should not start
22 responding to individuals, even constituents.

23 MS. MILES MENNELL: Mayor, I am not
24 suggesting we respond, I am suggesting we make
25 contact with these individuals to say that it would

1 be appropriate, since the literature already says
2 that and the Act says that, that if they had
3 specific concerns we would be glad to bring them
4 forth on their behalf. I am not suggesting we
5 respond. I could not agree with you more.

6 MR. PHIL COMER: I misunderstood.

7 MS. MILES MENNELL: That would be
8 very inappropriate.

9 MAYOR EDDIE SMITH: My other thing I
10 was thinking that on the water level that a letter
11 would go out to those persons. I think somewhere
12 TVA is already looking at that. There's a study in
13 the report that I just heard.

14 DR. KATE JACKSON: We are in the
15 process of developing tools to enable us at some
16 future point to study it.

17 MAYOR EDDIE SMITH: So it's being
18 considered, and we are taking it up as a part of our
19 discussion, and we may make recommendations too, if
20 we come up with any. So, in other words, some kind
21 of communication to that extent would let them know
22 they are not being ignored, that's all I --

23 DR. KATE JACKSON: I agree that it
24 would be nice to have the Council be responsive. I
25 think that you may want to think about whether or

1 not you want the Council to respond to every public
2 comment. If you have 50 people, I'm not convinced
3 that's a productive use of time. However, maybe you
4 want to post on the website with the meeting minutes
5 the kinds of comments that you got and, you know,
6 those were important to you.

7 This E-mail site may get flooded with
8 comments from the public, and I don't know that you
9 want to set a precedent of responding individually
10 to every one of those.

11 MS. MILES MENNELL: I agree.

12 MAYOR THOMAS GRIFFITH: Agree.

13 MS. JULIE HARDIN: I agree.

14 MR. JIM CREIGHTON: Eddie, I think
15 the idea of keeping the public comment period and
16 the open Council thing tied is a good one. I
17 screwed up on that. I encouraged Eddie to move to
18 the web page because it didn't really dawn on me you
19 would want to ask questions.

20 In other words, we end the public
21 comment period, but then the Council can direct any
22 questions to the public and we can keep that
23 linkage.

24 DR. STEPHEN SMITH: And I have a
25 clarifying question, because I heard something go

1 back and forth, and maybe I am just misunderstanding
2 it, but if there's members of the public that want
3 to communicate, sort of constituencies that we
4 represent, I hope that you were not implying you --
5 I mean, we can't officially speak for the Council,
6 but I think that we definitely want to engage those
7 individuals and discuss it. I mean, that to me
8 would be -- that seemed -- I guess I didn't
9 understand actually what you were saying when you
10 said not to talk to --

11 MS. MILES MENNELL: No. I believe it
12 was Mr. Comer who misunderstood what I said. I said
13 that I thought it was entirely appropriate for us to
14 engage these various constituencies and bring forth
15 their concerns, and the misunderstanding occurred
16 visa via the media.

17 And I shouldn't be speaking for you,
18 Phil. Why don't you respond to that?

19 MR. PHIL COMER: We're in agreement.

20 MS. JULIE HARDIN: We might also
21 thank them for coming here and waiting all day to
22 speak with us. A thank you would be a very nice PR
23 tool.

24 MAYOR EDDIE SMITH: My thinking was
25 that since we didn't give them a chance to dialogue

1 with the Council today, that maybe to cover for
2 that, we would send out a communication, not
3 necessarily -- that's just for people who were here
4 and not the ones on the website and all of that.

5 MS. JULIE HARDIN: Just for the
6 people who came here in person.

7 MAYOR EDDIE SMITH: It seems to me
8 that they fell into two categories basically,
9 representation on the Council and water levels.

10 DR. STEPHEN SMITH: I think two
11 towboats folks and then there were two or three lake
12 level folks.

13 MR. PHIL COMER: Four, Steve.

14 DR. STEPHEN SMITH: And I think that
15 if somebody -- I really do believe, and I don't
16 think it's too much of a burden on the staff or
17 whatever, that if somebody comes and basically is
18 willing to take time out of their day to sit in on a
19 meeting, I think it's wholly appropriate to get some
20 sort of a nice letter back, if they give us their
21 address, and try to communicate and then engage
22 them, because I think that this body in many ways is
23 only going to be successful if there are more people
24 engaged in this process than what is in this room.
25 I really feel strongly about that.

1 I mean, there's nothing elite about
2 us just because we happen to do whatever. I mean,
3 we have some representation, but, you know, I am
4 very quick to point out that there are a lot of
5 other people out there that could be equally sitting
6 in these chairs doing as good a job, and some of
7 those individuals, if they come and want to make
8 comments and are willing to take time out of their
9 day, we ought to really show respect for that.

10 MS. JULIE HARDIN: I think our
11 Chairman could also say to them as he looks at the
12 slips and calls them up, we don't have your address,
13 and we need this in case we do want to respond, and
14 then get it.

15 MAYOR EDDIE SMITH: Okay.

16 DR. PAUL TEAGUE: I agree
17 wholeheartedly with Steve. And one of my No. 1
18 objectives being on this board is, again,
19 communications, relationships, and being customer
20 friendly. We are a government agency, and
21 government agencies are notorious for their
22 reputation, whether it's true or not, they have a
23 notorious reputation of not responding, and I think
24 we ought to respond to every one that we possibly
25 can, and I do encourage these people and I do have

1 some ancillary contact with the barge people myself
2 because we're kind of in some of that business.

3 So I think we need to be customer
4 friendly, and I think we need to keep that in mind,
5 because that's the biggest complaint with
6 communities about government is not being customer
7 friendly.

8 MAYOR EDDIE SMITH: Okay. Do we have
9 any other comments about any other issues, other
10 than the public hearing?

11 Okay. Kate, do you have anything
12 else you want to say to us? Okay. Jim? I think we
13 will get down to closing out here. We're going to
14 get out of here a half hour early.

15 The next meeting will be on May 25th,
16 right, and the topic will center around river
17 management and whatever that is, and we will work
18 together with Jim and Kate to work out the details
19 that we scheduled and try to get it out to you in
20 plenty of time for you to have. Then I may also --
21 if any of you have ideas that you want to share with
22 us about it, you know, you can contact probably
23 Sandy.

24 DR. KATE JACKSON: Or me.

25 MAYOR EDDIE SMITH: And Kate, and the

1 other Kate, Kate Marx, and, you know, any input you
2 would like to put into the agenda, and me, of
3 course, if you need to. With that, I think this has
4 been a successful day, and I thank you for being
5 here, and we're glad to give you 30 minutes back.

6 MS. JULIE HARDIN: We leave our name
7 tags, right, and our doo-dads?

8 MAYOR EDDIE SMITH: I guess you
9 should do that. I did forget one thing on these
10 books, Phil Comer was the one who suggested we put
11 these out to you, I think, am I correct on that? If
12 you would like to take them with you, you may do so.
13 If you want them and don't want to carry them with
14 you on the airplane, then let somebody at TVA know
15 and they will mail them to you, otherwise, you know,
16 whatever you want to do about that. I think that's
17 it. Thank you very much.

18 END OF MEETING

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