

TENNESSEE COMMISSION OF INDIAN AFFAIRS

Quarterly meeting

Saturday, 13 September 2008, 9am, Chattanooga University Center,  
UT-Chattanooga

PROPOSED AGENDA

9:00-10:00 am: Committee of the Whole  
5-year strategic planning

10:00 am:

I. CALL TO ORDER

II. INTRODUCTIONS & REPORTS

A. 1. Commissioners, including new commissioner Alice Gwin Henry from  
Memphis

2. parliamentarian

3. TDEC attorney

B. Minutes & financial report

C. Archaeology (kunes)

D. Teleconferences (Ohle)

E. Future meeting dates and places

8 November - Memphis

21 February - Nashville

May/June - Knoxville

September - Chattanooga

F. Commissioners' Reports

1. by region

2. by issue

a. status of legislative interest/support in re-initiating  
rulemaking procedures re. Rule 0785-1

b. review status of resolution re. Recognition of TN Historic

Tribes

3. other state commissioners

III. OLD BUSINESS

A. Statistical study of state's NA population

IV. NEW BUSINESS

A. 2010 Census - Commission Census 2010 Liaison [see text 1 below]

B. Strategic planning for TCIA [report from 9am meeting]

C. Support for Trail of Tears Commemorative Events [see text 2 below]

D. Standing Rules

1. Agenda Protocol (Ohle & Meeks) compilation [see text 3 below]

2. Public Comments (Ohle) [see text 4 below]

3. Meeting Recordings (Ohle) [see text 5 below]

4. Adding More Commission Meetings (Ohle) [see text 6 below]

5. Disclosure of lobbying and legislative activities (Ohle) [text?]

6. Duty of the Chair (Meeks) [text?]

7. amend "Special Called Meetings" (Meeks) [text?]

8. authorize chairperson to spend \$100/year discretionary funds

9. Code of Ethics/Pledge (Ohle & Meeks) [text?]

E. Regional Coalitions vs Standing Committees (Ohle) [see text 7 below]

V. A. ORGANIZATIONAL REPORTS

B. Announcements

1. Tribal Census 2010 conference Report, Billy Jo Nuckles. (10 minute limit) (V. Ohle - Sept. 13, 2008)

C. Public comments (3 mins. per person)

VI. CLOSE

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texts to review  
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1. Census Bureau request to TCIA for designee (Ohle)

1. WHEREAS the accounting of Tennessee's American Indian/Alaska Native population is critical to planning and implementation of programs and initiatives of the Commission of Indian Affairs, and

2. WHEREAS census data will affect funding levels and decisions of government and government agencies for years, and

3. WHEREAS the Commission's designee must have a thorough understanding of the population to be counted, the Commission, and

4. WHEREAS the Commission's designee must have expertise in unique approaches needed to fully account for Tennessee's American Indian/Alaska Native population, and

5. WHEREAS the US Census Bureau has requested that the Tennessee Commission of Indian Affairs officially designate a 2010 Census Tribal Liaison its official point of contact for the census process, and

6. WHEREAS Marion E. Orrick is a professional sociologist and statistician, and

7. WHEREAS Marion E. Orrick was instrumental in leading and conducting the quantitative study of Tennessee's American Indian/Alaska Native population, and

8. WHEREAS Marion E. Orrick is knowledgeable in the history and families of Tennessee's original indigenous population, and

9. WHEREAS Marion E. Orrick has submitted a curriculum vitae attesting to her formal post-secondary education in the related fields of Sociology and Statistics, and

10. WHEREAS Marion E. Orrick is willing to serve in the capacity of the Tennessee Commission of Indian Affairs official Census 2010 designee with no promise of compensation,

THEREFORE BE IT RESOLVED THAT the Tennessee Commission of Indian Affairs

designates Marion E. Orrick as its official 2010 Census Tribal Liaison and point of contact with the Census Bureau for the census process, and

BE IT FURTHER RESOLVED THAT Marion E. Orrick will submit written quarterly reports to the Chair and the Secretary of the Commission of Indian Affairs for the purpose of informing and updating the Commission and the Community by inclusion in the Commission's official minutes.

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## 2. Resolution of Support and Commendation for Trail of Tears Commemorative Events (Ohle)

1. Whereas: the Cherokee and other American Indian nations were forcibly removed from their original homelands in what is now the State of Tennessee, and

2. Whereas: the routes taken during the process of that removal came to be known collectively as the "Trail of Tears," and

3. Whereas: the combined Water, Northern, Bell, and Bengé routes passed through Tennessee's current counties including Monroe, McMinn, Polk, Bradley, Hamilton, Marion, Benton, Humphreys, Houston, Henry, Stewart, Meigs, Rhea, Bledsoe, Van Buren, Sequatchie, Grundy, Warren, Cannon, Rutherford, Davidson, Robertson, Montgomery, Franklin, Lincoln, Giles, Lawrence, Wayne, Hardin, McNairy, Hardeman, Fayette, Shelby, Maury, Hickman, and Weakly counties, and

4. Whereas: organizations and individuals along the routes have taken on the responsibility of planning, organizing and holding annual commemorative events in remembrance of those who originally walked the Trail of Tears in Bradley, Hamilton, Marion, Giles, Lawrence, Lincoln, Robertson, and Wilson counties, and

5. Whereas: those events serve to promote awareness and education about a tragic point in the history of the State of Tennessee and the United States of America, and

6. Whereas: historically accurate and complete inclusion of Tennessee's original American Indian inhabitants and their histories in the education of Tennessee youth, residents and visitors is vital to the rich history of the State of Tennessee and the mental and cultural well-being of its current American Indian residents, and

7. Whereas: the Commission of Indian Affairs is directed to assist Indian communities in social and economic development (TCA 4.34.102.5), and

8. Whereas: the Commission of Indian Affairs is directed to promote recognition of, and the right of Indians to pursue religious and cultural traditions considered by them to be sacred and meaningful to Native Americans (TCA 4.34.102.6), and

9. Whereas: raising awareness of the history of the original American Indian inhabitants of Tennessee promotes better understanding of the spiritual and cultural significance of certain sites in Tennessee to Native Americans,

10. Therefore be it resolved: that the Tennessee Commission of Indian Affairs supports and commends the efforts of the Tennessee Chapter of the Trail of Tears Association in continuing their research and documentation of the events leading up to and following the removal of Tennessee's original American Indian inhabitants, and

11. Be it further resolved: that the Tennessee Commission of Indian Affairs supports and commends the efforts and continuation of the following commemorative events and sponsoring organizations or individuals:

- Trail of Tears Remembrance Motorcycle Ride (Sept. 20, 2008; 3rd Saturday of September annually; beginning in Hamilton County at Chattanooga TN and including Marion, Grundy, Franklin, Lincoln, Giles and Lawrence Counties) -- Trail of Tears Remembrance Association, Inc.

- First Nations People Gathering (Sept. 20, 2008; Lincoln County Fairgrounds at Fayetteville TN) -- Debbie Shattuck Capino First Nations People

- Where We Walked and Where We Cried (Sept. 27, 2008; annual commemorative walk and service; Wilson County at Mt. Juliet TN) -- Melba Checote Eads

- Port Royal Commemorative Trail of Tears Walk (Oct. 11, 2008; annual commemorative walk; Port Royal State Historic Site, Adams TN) -- Port Royal State Park, Friends of Port Royal

- Trail of Tears Re-enactment Walk (Last Saturday of October; annual commemorative event and walk; Lincoln County at Fayetteville TN) -- Debbie Shattuck Capino First Nations People

- Trail of Tears Re-enactment Walk (First Saturday of November; annual commemorative walk; Lawrence County at Lawrenceburg TN) -- Vicky SpitsFire Garland Lawrence County Trail of Tears Committee

- Bell and Bengé Routes Trail of Tears Motorcycle Ride and Re-enactment Walk (Second Saturday of November; annual event; Giles County at Pulaski TN) -- Giles County Tourism/Giles County Trail of Tears Memorial Interpretive Center, and

12. Be it further resolved: that the Tennessee Commission of Indian Affairs supports and encourages the creation of similar events to coordinate with existing events in each county along the known routes, and

13. Be it further resolved: that the Tennessee Commission of Indian Affairs encourages all city and county governments along the known routes to acknowledge and support through proclamation, cooperation with local and state wide American Indian residents, and participation in the creation and/or continuation of these Trail of Tears commemorative events.

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3. FYI Regarding Agenda Item Submission (Old Business) James Everett Meeks, 6 September 2008

Agenda Item Submission Protocol

Proposal: Agenda item submissions should be accompanied by Summary Statement of at least 1-3 sentences detailing/subscribing the agenda item.

If the item includes resolutions, complex motions, or supporting documentation, please include copies of such.

Basis: The current item within the Standing Rules to restate as follows:

A. During the course of a meeting, the recording secretary will note any items of business that are deferred to the next meeting any items of business that require a report on follow-up or other actions to occur before the next meeting (such as letters to be written, meetings with other entities to scheduled, etc.

B. Prior to the close of the meeting, the recording secretary will read the list of items identified during the meeting to be placed on the agenda for the next meeting, the members will be given an opportunity to correct or amend the list. Because these items will be considered old business at the next meeting, the members shall approve the standing agenda and "old business" items for the next meeting prior to adjourning the current meeting.

C. New Business agenda items proposed by commissioners must be submitted in writing to the other members of the Commission at least fourteen (14) days in advance of the meeting at which they are proposed for discussion.

[Alternate C. New Business agenda items proposed by commissioners must be submitted in writing to the other members of the Commission at least twenty (20) days in advance of the meeting at which they are proposed for discussion.]

D. Agenda suggestions and/or resolutions from the public must be submitted in writing to the chairperson and secretary of the Commission at least thirty (30) days in advance of the meeting at which they are proposed for discussion.

E. The chair, with the assistance of the recording secretary, will prepare the draft agenda including any and all attachments for review by the other members and distribute the draft by not less than eleven (11) days prior to the next meeting

[Alternate E. The chair, with the assistance of the recording secretary, will prepare the draft agenda including any and all attachments for review by the other members and distribute the draft by not less than 15 days prior to the next meeting.]

F. Issues not on the advance agenda shall be tabled until the next meeting unless approved for inclusion in the agenda by a two-thirds (2/3) majority.

G. 1. Since the members cannot, per state Sunshine law, make any decisions before the meeting, all discussion including requests to remove, amend, or otherwise alter the new business items must be made at the beginning of the next meeting

2. A single motion to approve may be called, however any opposition to the motion should be considered justification to divide the motion in order to separate out the item(s) causing the dissent.

3. After the motion regarding the uncontested items has been approved, the members should make motions relevant to each of the opposed items.

H. 1. Upon final decision and approval of the "new business" items on the

agenda, the meeting should commence per the agenda

2. Each Commissioner should have at least an initial understanding of what is being proposed. It seems reasonable to add this since there seems not to be such a directive within the current standing rules.

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Previous 2 Proposals

3: Standing Rules, Agenda Item Submission Protocol

Proposal: Agenda item submissions should be accompanied by Summary Statement of at least 1-3 sentences detailing/subscribing the agenda item.

If the item includes resolutions, complex motions, or supporting documentation, please include copies of such.

Basis: The current item within the Standing Rules is state as follows:

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Meetings - Agenda

A. Agenda items proposed by commissioners must be submitted in writing to the other members of the Commission at least eleven (11) days in advance of the meeting at which they are proposed for discussion.

B. Agenda suggestions and/or resolutions from the public must be submitted in writing to the chairperson and secretary of the Commission at least thirty (30) days in advance of the meeting at which they are proposed for discussion.

C. 1. Issues not on the advance agenda shall be tabled until the next meeting unless approved for inclusion in the agenda by a two-thirds (2/3) majority.

2. Each Commissioner should have at least an initial understanding of what is being proposed. It seems reasonable to add this since there seems not to be such a directive within the current standing rules.

Format: There is not necessarily a "formal" format

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Protocol for developing the Commission's agenda:

1. During the course of a meeting, the recording secretary will note any items of business that are deferred to the next meeting any items of business that require a report on follow-up or other actions to occur before the next meeting (such as letters to be written, meetings with other entities to be scheduled, etc.

2. Prior to the close of the meeting, the recording secretary will read the list of items identified during the meeting to be placed on the agenda for the next meeting, the members will be given an opportunity to correct or amend the list. Because these items will be considered old business at the

next meeting, the members shall approve the standing agenda and "old business" items for the next meeting prior to adjourning the current meeting.

3. a. During the period between the meeting and the next meeting, members may submit requests for additions to the agenda to the chair who will add the items to the draft agenda in order received under "new business."

b. In order to ensure everyone understands the intent or purpose of an agenda item, any resolutions, proposals or other documents supporting the addition must be attached or included with the request.

4. Members must have made all requests by not less than 21 days prior to the next meeting.

5. The chair, with the assistance of the recording secretary, will prepare the draft agenda including any and all attachments for review by the other members and distribute the draft by not less than 14 days prior to the next meeting.

6. Since the members cannot, per state Sunshine law, make any decisions before the meeting, all discussion including requests to remove, amend, or otherwise alter the new business items must be made at the beginning of the next meeting.

7. a. At the next meeting following the call to order, approval of minutes, and hearing of the treasurer's report, but before commencing any other reports, the members will vote to approve or disapprove the "new business" items.

b. A single motion to approve may be called, however any opposition to the motion should be considered justification to divide the motion in order to separate out the item(s) causing the dissent.

c. After the motion regarding the uncontested items has been approved, the members should make motions relevant to each of the opposed items.

8. Upon final decision and approval of the "new business" items on the agenda, the meeting should commence per the agenda.

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4. Standing Rules on Public Comments (V. Ohle - Sept. 13, 2008)

A. When a quorum is not present at the designated meeting start time, the commissioner(s) present will open the floor to public comments.

B. The order of public comments shall be determined by the sign-in list provided at each meeting.

C. Members of the public making their comments at the beginning of the meeting will do so with the understanding that they are waiving their turn to comment a second time at the end of the meeting.

D. Public comments heard before the start of a commission meeting or at a meeting for which no quorum was obtained will be recorded in

the minutes as public comments.

E. The four-minute limit will apply to comments made before the start of a meeting.

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5. Meeting Recordings (V. Ohle)

Request for ability to place microphones on commission table for purpose of making publicly accessible recordings, to include a memorandum of understanding relevant to (not) editing, sharing with other services (only room for one set of mics at most), no strings, etc.

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6. Adding More Commission Meetings (V. Ohle)

Adding four additional meetings to Commission calendar to be held via conference call - administrative tasks such as standing rules, reports, minutes, and agenda decisions would be moved to conference calls.

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7. Dissolution of Standing Committees & Creation of Regional Coalitions

The Tennessee American Indian Research Initiative has completed the quantitative study (Phase One) of its community assessment. For the first time, the Commission will have a fairly clear picture of the State of the American Indian/Alaska Native Community in Tennessee, and will be able to not only better plan to address but also prioritize the needs of the larger community.

Since its inception, it has been the desire of the Commission to fully carry out its duties and purposes. Unfortunately, the Commission has been hampered by a limited work force of seven commissioners, non-existent funding, and lack of physical resources. These barriers combined with the financial strain placed on both commissioners and community members to attend meetings and carry out state-wide projects have all contributed to the inability of the existing standing committees to function successfully and the ability of the Commission to expedite its duties.

This community is entering a new era. We have identified probable unmet needs.

We have made headway in identifying human and other resources in our community.

Sadly, we are also facing an unknown future that may or may not include our Commission. It is imperative that we work quickly to implement plans that will allow us to help ourselves in any given scenario.

I request the following resolution be considered and passed by the Commission on Indian Affairs.

1. Whereas the Tennessee Commission on Indian Affairs is bound by the State of Tennessee Open Meetings Act; and

2. Whereas the Commission receives no allocation of State budget funds or other resources; and

3. Whereas and with the exception of the Rules Committee, Tennessee American Indian Research Initiative and Legislative Review Committee, the standing committees of the Commission have had difficulty meeting regularly or at all, and have therefore been ineffective in producing desired results; and

4. Whereas the goal of the Commission is to carry out its purposes and duties in an efficient, productive, cost-effective and manner for both the present and the future well-being of the community;

Therefore be it resolved

1. that the Commission, upon passage of this resolution, shall dissolve all standing or other committees created before December 2006 and shall create in their place six Regional Coalitions as follows:

1. The Regional Coalitions will be assembled two per Grand Division.
2. One coalition in each Grand Division will focus on economic development and government relations.
3. One coalition in each Grand Division will focus on health, education and wellness and community relations.
4. Appointments to each coalition will consist of American Indian community residents of the relevant Grand Division including metro areas to include two federally recognized members, two state recognized members, and two unenrolled members.
5. Appointments will be made by the Commission from recommendations of the community of the Grand Division, recommendations from American Indian or American Indian-related organizations in the Grand Division, and applications from interested community members, and will be sought based on current and past community activity, interest and relevant experience.
6. Commissioners shall be appointed as ex-officio members of those Regional Coalitions relevant to their seats, shall have voting rights, and shall serve as liaisons between the coalitions and the Commission.
7. Each coalition will work to identify and create

partnerships

with appropriate community organizations and professionals  
within

the relevant Grand Division giving first preference to those individuals and organizations that are American Indian.

8. For the purpose of ensuring continued collection of data relevant to the condition of American Indians/Alaska Natives living in Tennessee, each coalition will work cooperatively

with the Tennessee American Indian Research Initiative on all projects

to determine data to be collected, measurable outcomes, establish

benchmarks and other relevant objectives, and to deliver the data

to the Initiative.

9. The coalitions will work cooperatively with the Tennessee American Indian Research Initiative to plan for and include website and internet-based storage for resource materials, information, and data relevant to each coalition.

10. Each coalition will meet not less than once every two months.

11. Compliance with Open Meetings Act shall be maintained within

and limited to the geographic area of the relevant Grand Division.

2. With the exception of applications filed in the name of or in partnership with the Tennessee Commission on Indian Affairs or in those

instances where funding is limited to one state-wide award, coalitions

will be authorized to research and seek appropriate funding individually, in partnership with one another, or through community partnerships, but shall be required to report such applications from point of submission to point of completion to the Tennessee American Indian Research Initiative for data collection purposes and to the Commission for the purpose of public transparency and accountability including but not limited to copies of all applications, awards, and funder-required reports.

Valerie Ohle, February 9, 2008

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