

Council on American Indian Concerns

Regular Monthly Meeting, April 13, 2011

DNR Conference Room, Atlanta

Council members in attendance: Nealie McCormick, Marilyn McGaughey, Ralph Crews, Tom Gresham, and MariaTeresa Tersigni-Tarrant

The meeting was called to order by Chairman Nealie McCormick at 1:38 p.m. Ralph Crews led the opening prayer.

The March, 2011 meeting minutes, which had been emailed to members earlier, were approved as sent.

Ralph Crews presented the treasurer's report, which had been emailed to members earlier. Marilyn McGaughey asked if the restitution money received by the Council from the Burke County looters in FY 2011 will be carried over to FY 2012, or go back to the general treasury. Frankie Mewborn said he would ask Pam Meditz when she returns to the office next week. [in an email from Pam dated April 18, 2011, she said such funds do not roll over to the next year]

Communications to the Council - Nealie McCormick reported that the Council received many email enquiries in the past month. One was about slaughtering horses on tribal lands, one was a request by a Boy Scout group for an Indian to appear at an event and many regarded the Kialegee Tribal Town's intent to purchase land in Glynn County and possibly establish gaming on that land.

Frankie Mewborn reported on three telephone calls to the Council this past month:

1. Jerome Evans requested information on Yuchi Indians in the Taliaferro County area – Tom Gresham will call him and answer his questions.

2. Bob Harding requested a copy of the Council's report on the four factions of the Georgia Tribe of Eastern Cherokee – this prompted a discussion about whether the Council ever received an electronic version of the Henry Flood report. Nealie McCormick said he thought he had the report on CD, and would look in his files to confirm. Tom Gresham said he had a hard copy of the report, but was almost certain he had never seen the report on a CD. Frankie Mewborn said he responded immediately to the telephone request saying that the Council would send him a copy of the report. Nealie said that if he could not find an electronic version of the Flood report, he would contact Flood to request it.

3. The Atlanta Journal Constitution called for information – when Frankie Mewborn returned the call, the reporter said they had already run the story.

*Ongoing Business:*

Etowah Mounds Historic Site – Invited guest Jim Langford, director of the Coosawattee Foundation, updated the Council on recent events at the site. He related that his Foundation had worked with the Shaw family to help the site, mainly by having the Shaw family provide funds

that allowed personnel from the Foundation to staff the site on Wednesdays for touring school groups through the site. Last Fall the Foundation proposed to DNR that they charge students \$6.00 for the touring, with half going to DNR as entry fees and half to the Foundation to pay for the program. A great amount of discussion ensued between DNR, its attorney and the Foundation about this and alternative plans. In the end, DNR stopped the program and would not allow the Foundation staff onto the site to conduct programming and tours. The Shaws have withdrawn their financial support of the program. Thus, Etowah Mounds Historic Site is no longer open on Wednesdays for school groups. Jim presented the Council with a written proposal from the Coosawattee Foundation and Georgia Educational Programs (headed by Jenny Goldemund) for a variety of educational programs at Etowah Mounds and in schools. The package of services totals \$29,000.00, with \$10,000.00 of anticipated revenue from fees for the programming.

Reports of Planned Excavations – Tom Gresham reported that Deputy State Archaeologist Bryan Tucker relayed to the Council two notifications of archeological excavations that might, or do, involve Native American human remains. The first was from Dr. David Hurst Thomas of the American Museum of Natural History in New York City, who presented a three-page time line of excavation and analysis that led to the conclusion that some small fragments of bone excavated from a shell ring site on St. Catherine’s Island in 2010 have been identified as human. If it is technologically possible, they would like to conduct minimally invasive AMS (accelerator Mass Spectrometry) dating of the bone.

The other notification was from University of West Georgia student William Phillips, who with other students and professional archeologists will test excavate on a Woodland period site on private land owned by Phillips’ parents in Hall County.

Tom Gresham used the notification of the Hall County excavation as a point of discussion on how the Council should respond to these types of notifications. Tom reminded the Council that the State Archaeologist’s office said they do not respond or ask questions; they simply turn over every notification they get to the Council. Tom suggested that the Council should provide some sort of response, depending on the type of site being excavated and the likelihood of burials being encountered. Tom cited last year’s example of UGA’s excavation at a Mississippian period site on the Savannah River as a case where human remains were likely to be encountered, and the Council could have notified UGA about what to do if they were. Other excavations could have a very low chance of encountering human remains.

After discussion, it was agreed that the procedure would be that Tom Gresham would communicate (email, phone or writing) with the lead archeologist to discuss the possibility of encountering human remains. In essence, Tom will ask what they intend to do if human remains are encountered. Tom will ask for their response in writing (including email). If Tom has some unease with the response, he will consult with MariaTeresa Tersigni-Tarrant. Tom will have copies of the Council’s policies regarding burials and analysis ready to send the archeologists. Discussion then turned back to the notification from the AMNH about conducting minimally invasive radiocarbon dating of human bone. The Council agreed that such procedures, done by professional archeologists, would be of general benefit and should not be prohibited by the Council. Tom Gresham and MariaTeresa Tersigni-Tarrant were asked to draft a statement

regarding analysis of human bone to be added to the Council's policy sheet on dealing with burials and human remains. Marilyn McGaughey asked that the Council be notified of the results of the AMS dating of the St. Catherine's Island shell ring bone.

Replacement for Sarah Hill – Tom Gresham reported that Dr. Jace Weaver, a Cherokee Indian and director of the Institute of Native American Studies at the University of Georgia, agreed to serve as the “other scientist” on the Council. Since there was unanimous agreement that he would be an excellent member, a motion to submit his name to the Governor as our recommendation to fill the position was passed. Tom Gresham will notify Dr. Weaver and Nealie McCormick will submit his name to the Governor's office.

Rules and Regulations - Marilyn McGaughey reported Linda Moye says the current version of the R&R is at the Secretary of State's office (in Macon) and has been placed in the queue to be examined and processed. Marilyn will continue to work with Linda on keeping the process moving.

Floyd County Power Line – Tom Gresham reported that he and Nealie McCormick sent a letter to the Georgia Power Company expressing the Council's hesitation to accept the archeological survey report GPC commissioned as an adequate archeological investigation. Tom said that GPC archeologist Joey Charles telephoned to say that he is consulting with company lawyers, but that they felt the survey probably was adequate. He also said that the issue is really moot, since no more work or affects to the property would occur. The Council agreed to table the issue until we hear in writing from GPC.

Burke County looted site - Tom Gresham reported that he sent the probation company overseeing the restitution payments and Judge Jerry Daniel a letter and documentation showing that the looters owe more money than the minimum they had paid. Frankie Mewborn reported that the Council received two small checks this past month, instead of the usual amounts, indicating a termination of payments. Since Tom has not heard from the company or court, Tom will call the company to press for continued payments.

Kialigee Tribal Town land acquisition – Nealie McCormick informed the Council that a developer/investor has a large tract of land in Glynn County from which he has sold 300 acres to the Kialigee. The Kialigee are working with the US Department of the Interior to apply for federal trust status for the land, as they argue they are a landless tribe. This would permit them to have Class 2 gaming (bingo and video games, but not casinos). Senate Bill 62 would have prevented the transfer of land out of Georgia's jurisdiction and prevented the possibility of such gaming, but the bill is effectively dead for this legislative session.

Georgia Tribe of Eastern Cherokee – Nealie McCormick asked Dan and Dola Davis about the status of alleged litigation with Tom Mote. They said they would be going to court over Tom Mote's legal action requesting all records relating to the Davis' group. The US Bureau of Indian Affairs is in the area looking into the dispute.

*New Business:*

Finances for FY 2011 – Marilyn McGaughey led a discussion on the Council’s finances and remaining expenditures for the current fiscal year. The Council reviewed the discussion from last month about year-end expenditures and state procedures for spending, discussed various other worthy educational services that could be purchased and then approved the following expenditures:

\$500.00	for purchase of law books on Indian law for Nealie McCormick’s use
\$2,500.00	to Society for Georgia Archaeology for educational programming via the ArchaeoBus, as described in a written proposal submitted by SGA (attached)
\$4,800.00	to Society for Georgia Archaeology for purchase of <i>Frontiers in the Soil</i> at the bulk rate of \$10.20 per book. The Council will distribute these to every middle school in Georgia, which is believed to number about 480 (the Council placed the books in about 12 schools in previous years).
\$2,500.00	to Fernbank Museum for educational programming related to Native Americans.

Purchase of educational programming from the Coosawattee Foundation was tabled until more information can be gathered about their in-school programming.

New Brochures – Tom Gresham said that Pam Meditz informed him that the revised Artifact Collecting brochures had been finalized and was at the printer. The 5,000 copies should be ready and delivered by the next meeting.

Threats to Burials – Tom Gresham reported that the Council received a completed reporting form with photographs from two couples in Pickens County, near Jasper. They describe a cluster of rock piles that are very typical of rock pile clusters in Georgia. Tom recalled the Council has had an archeologist examine this type of report in the past, even though it is highly unlikely that they are of Native American origin. Tom said he spoke with Steve Webb, an archeologist that the Council has hired several times in the past to look at this type of site, and Mr. Webb is willing to look at this site. Since it is close to his office and he would only visually inspect, the expense would not be great. Tom pointed out that the landowner (a company) may not grant permission to have the site examined. The Council authorized Webb and Associates (Steve Webb) to contact the landowner and if possible examine the rock pile site and report to the Council.

Census data – Tom Gresham provided Council members with three tables of 2010 census data for Georgia that was released in March. Among other things, one table shows that the total population of Indians (including native Alaskans) in Georgia, whether one or multiple races, is 84,024, up from 53,197 in 2000.

Human Remains from Savannah – MariaTeresa Tersigni-Tarrant reported that human remains believed to be Indian had been turned over to the Council from a collector in Savannah. She examined the remains and submitted a report of her analysis for the Council records. The remains were of a child between 2 and 5 and an adult female, both Indian. One cranial piece had

damage and repair that suggests that it was dug up in a careless manner. Since we were not told exactly where the material was found, it was agreed that Tom would communicate with the person who mediated the return, Damion Black Wolf, to see if he will quiz the collector and obtain more precise information on where the remains were found and under what circumstances. Tom reported that earlier this morning he deposited the remains, with accompanying transmittal forms, to the Antonio Waring Archaeological Laboratory at the University of West Georgia, where other sets of remains in the custody of the Council are being stored.

*Announcements, Other Business*

Nealie McCormick informed the Council that the Juvenile Court system in Georgia continues to consult the State tribes and the Council regarding child custody hearings involving Indian children. Nealie was asked to participate in a training session for juvenile court judges, and he will do so.

Marilyn McGaughey informed the Council about a recent article in Archaeology Magazine about the Windover Pond site in Florida, where archaeologists have found interesting evidence of early medicines used by Indians.

Marilym McGaughey mentioned the latest publication that was sent to Council members from the American Museum of Natural History. It was agreed that Tom Gresham will write a thank-you letter to David Hurst Thomas and the Museum. It was suggested that in that letter, we ask the Museum to add MariaTeresa Tersigni-Tarrant to the mailing list and drop Sarah Hill.

Vonnie McCormick informed the Council that Eloise Josie in Alabama is fighting to defend and maintain the Alabama Indian Commission from budget cuts.

There being no other business, the meeting was adjourned at 4:50.

Visitors: Bryan Tucker, Frankie Mewborn, Jim Langford, Vonnie McCormick, Frances Crews, Gisela Gresham, Dan and Dola Davis