

**MIDTERM APPOINTMENT TO THE TENNESSEE**  

---

**COMMISSION OF INDIAN AFFAIRS**  
**NASHVILLE AREA**

Submitted to the State Leadership  
by the Tennessee Native American Convention,  
in compliance with Tennessee Public Chapter 344 (2003)

25 March 2008

## TENNESSEE COMMISSION OF INDIAN AFFAIRS

---

### NOMINEES FOR NASHVILLE

Upon the resignation of Commissioner *David Teat* on 31 January 2008, the Tennessee Native American Convention (TNNAC) submits the following three names for consideration as Commissioner of Indian Affairs from the Nashville area, to complete the remaining metro-area Commission term to *30 October 2009*.

Nominee *Dale Mitchell* has been contacted and is agreeable to accepting the appointment as Commissioner of Indian Affairs from Nashville. Two supplementary nominations are provided from the Nashville-area caucus delegates to the 2005 TNNAC Convention, elected from the Nashville metro area: *Charles Lawson* and *Clifford 'Bill' Wells*, in order to comply with the statutory requirement of providing the State with "a list of not less than two (2) names for each position on the commission to be appointed." (TCA 4-34-104 § b.1)

## DEMOCRATIC PROCESS THAT LED TO THESE NOMINATIONS

---

1. The Tennessee Native American Convention (TNNAC) was created in 2001 to study, develop and implement a democratic election process within the state-wide Indian community. TNNAC developed a caucus nominating process using a two-tiered system of seven primary local caucuses to elect local commissioner-nominees and delegates to a secondary state convention at which up to fifteen delegates from each of the seven caucuses ( $\leq 105$ ) together determine the community nominees to the state.

2. The 2005 TNNAC Caucuses were held on Saturday, 24 June, at 7:00PM Eastern, 6:00PM Central, simultaneously in seven (7) locations around the state: Memphis, Jackson, Nashville, Manchester, Chattanooga, Knoxville, and Greeneville. Caucuses were open to all Tennessee residents age 18 and older. Over 200 people attended the caucuses.

3. The 2005 TNNAC Convention was held Saturday, 24 September, at Little Cedar Mountain/Shellmound Park on the Tennessee River near Jasper. 68 caucus delegates from all seven caucuses chose from among the 10 commissioner-nominees for the metro areas and elected four top Indian Commissioner nominees. The Convention also approved the nomination of two persons to two other state commissions (Historical and Human Rights) and a referendum to separate the Grand Division caucus areas from the metro areas.

4. Caucus voting was by written ballot. Convention voting was by written ballot, hand, voice and acclamation.

5. Three irregularities: (1) Only one person applied for the Memphis Commission position prior to the caucuses. According to Tennessee Code Annotated 4-34-104 § b.1: *The Tennessee Native American convention shall submit a list of not less than two (2) names for each position on the commission to be appointed.* Accordingly the TNNAC Board requested that the Memphis Caucus reconvene and select another candidate, and Memphis did so. (2) The Knoxville Caucus had only four attendees—two candidates and two of their family members. (3) The Convention selected a top nominee from Knoxville easily but deadlocked on the second and third nominees over four ballots. The situation was resolved by the Convention agreeing to accept a ballot naming the person who obtained the most votes as the second nominee and the other candidate as the third nominee.

No other caucus or convention irregularities were reported, and no complaints were received by TNNAC about the nomination or election process or the results.

*continued*

6. As required by TCA 4-34-104 § b.1, TNNAC is directed to supply at least two names to the state for every open nomination. In 2006 a commissioner resigned. One of the remaining nominees had moved temporarily out of state to receive medical treatment, leaving only one in-state nominee. In consultation with the state Attorney General's office, TNNAC developed the following bylaw to address the requirement of two nominees when only one (or none) remains:

TNNAC must submit a list of at least two (2) names for each open position on the Commission of Indian Affairs for appointment by the State. TNNAC will, if sufficient nominees are not available from the caucus area, get other nominees names in the following manner.

1. TNNAC will go to the Advisory Council (ACTIA) elected members for that caucus area in order of their election. Then,
2. TNNAC will ask the elected active Chair, Vice-Chair, and first Alternate of the TNNAC board for that caucus area. And then,
3. TNNAC will go to the list of caucus Delegates in order of their election from that caucus area.

*Approved: 13 January 2007, 29 April 2007, 16 June 2007 - Adopted.*

Accordingly, in the absence of any remaining 2005-2009 Commission nominees from Nashville, TNNAC submits the name of a 2005-2009 elected Advisory Council (ACTIA) member from the Nashville metro area, **Dale Mitchell**. All other persons declining the nomination, TNNAC moved on to the list of elected caucus Delegates in order of their election, and arrived at **Charles Lawson** and **Clifford 'Bill' Wells**, who have agreed to the inclusion of their names in this nomination. (All other ACTIA members, elected TNNAC board members, and preceding delegates from Nashville declined nomination at this time.)

7. According to TCA 4-34-104.(h), "Any member appointed to fill a vacancy shall be appointed for the remainder of the term of the member causing the vacancy." The original term to which Niles Aseret was appointed is 30 October 2005 to 30 October 2009. The current Nashville nominee should be appointed to fill the remaining part of commissioner's term to *30 October 2009*.

8. Governor Bredesen made the last appointment to a metro-area vacancy on the Commission in January 2007. According to TCA 4-34-104 § h, "The appointing authority of the vacancy shall rotate among the appointing authorities." Given that House Speaker Naifeh appointed Niles Aseret, TNNAC returns this nomination back to House Speaker Naifeh for the current appointment.

#### **CRIMINAL BACKGROUND**

---

*All candidates have stated that they have no criminal record and no other record that would reflect poorly on his/her ability to represent the State of Tennessee and the Native American Indian community.*

**COMMISSIONER NOMINEES' BY RANK AND INFORMATION STATUS AS VOTED BY THE**  
September 2005 Tennessee Native American Convention election, Little Cedar Mountain

---

**COMMISSION OF INDIAN AFFAIRS, 2005-2009 TERM**

**MEMPHIS**

- 1. Ruth Knight Allen\***
2. Shelley Allen\*

**NASHVILLE**

- 1. Niles Aseret\***
2. David Teat\*

**CHATTANOOGA**

- 1. Doris Tate Trevino**
2. John Anderson\*
3. tom kunesh\*

**KNOXVILLE**

- 1. Jeanie Walkingstick King \***
2. Valerie Ohle
3. Joice Fickenworth

*\* Qualifies for Indian Preference*

---

**COMMISSIONER-NOMINEES' ATTENDANCE 2005-07** at the  
meetings of the Tennessee Commission of Indian Affairs

---

meeting 8 :	3 december 2005	Memphis
meeting 9 :	4 march 2006	Nashville
meeting 10:	10 june 2006	Chattanooga
meeting 11:	5 august 2006	Knoxville
meeting 12:	2 december 2006	Memphis
meeting 13:	17 march 2007	Nashville
meeting 14:	9 june 2007	Chattanooga
meeting 15:	21 july 2007	Nashville
meeting 16:	25 august 2007	Knoxville
meeting 17:	29 december 2007	Memphis

*COMMISSION MEETINGS*

	8	9	10	11	12	13	14	15	16	17
<i>NASHVILLE</i>										
1. B. Dale Mitchell		x	x	x		x				4
2. Charles Lawson		x	x		x	x				4
3. Clifford 'Bill' Wells		x				x		x		3
3 nominees	0	3	2	1	1	3	0	1	0	0

## B. DALE MITCHELL

---

### *nominee from Nashville*

563 Watson Branch Drive  
Franklin TN 37064-5135  
615/ 591-7651  
*d.mail55@gmail.com*

born: 1955 Andalusia, Alabama

*Qualifies for Native American Indian Preference*  
Senate district: 23      House district: 63

### EDUCATIONAL BACKGROUND

---

1973            Andalusia High School, Andalusia, Alabama  
1974-75        Lurleen B. Wallace State Junior College, Andalusia, Alabama  
1977            Alabama Christian College (*now Faulkner University*), Montgomery

### WORK HISTORY

---

2007-*current*    Shift Manager, Taco Bell, Franklin TN  
2007-*current*    Sales, Williams-Sonoma, The Mall at Green Hills, Nashville TN  
2006-07        Night Shift Manager, Lewis Country Store and More, Scottsboro TN  
2004-06        Shift Leader, Bread and Company, Franklin and Belle Meade TN  
2001-04        Office Manager, ESS Inc., Nashville TN  
2001            Manager, Great Earth Vitamins, Franklin TN  
2000-01        Shift Leader, Maggie Moo's Ice Cream Treatery, Franklin TN  
1999-2000      Electronic Sales, Sears, Roebuck and Co., Franklin TN  
1998            Store Manager, All Wound Up, Franklin TN  
1998            Salesman, Nordic Trac, Franklin TN  
1998-2001     Sales, Nu-Tree Health Food Store, Franklin TN  
1997-98        Assistant Manager, Natural Wonders, Franklin TN  
1983-96        Lab Tech, Russell Corporation, Alexander City AL

### HERITAGE / NATIVE AMERICAN INDIAN PREFERENCE

---

Enrolled member, Cher-o-Creek Intra Tribal Indians  
(Alabama state-recognized tribe, formerly known as the Cherokees of SouthEast Alabama)  
*Qualifies for Native American Indian Preference*

### COMMUNITY INVOLVEMENT

---

1997-98        Chairman, Red Stick Confederacy  
1999            Defendant in TDOT vs Black Bear, White Eagle, et al.  
2000-02        Helped with brainstorming sessions that led to draft of bill to re-establish the Commission of Indian Affairs, along with lobbying efforts.  
2002-03        served on TNNAC board as Secretary/Treasurer  
2003            elected to ACTIA, became Secretary/Treasurer in Feb. 2007  
2006            reappointed to TNNAC  
2006            Served on the board of the Alliance for Native American Indian Rights in 2006.  
Helped draft recognition criteria that was submitted to the TCIA by ACTIA.

### STATEMENT

---

I have worked for the Indian Community in Tennessee since 1997, the year I first moved here. I chaired the Red Stick Confederacy - a preservation organization - during 1997-98, and later became involved with the Alliance for Native American Indian Rights of Tennessee.

I was one of the defendants in the Kelly Site court case, and have been involved in other efforts to keep Native cemeteries safe from destruction. I helped with the re-creation of the TCIA, and I was one of the many people who lobbied the Legislature for its re-establishment. I was there also for the creation of TNNAC and the establishment of ACTIA, and I have served on the boards of both organizations. I was also the primary author of the revised 'Historic Tribes of Tennessee' resolution, and did the majority of the research for the listing of the Tribes in that document.

## CHARLES LAWSON

---

*nominee from Nashville*

2531 York Road born: 1933 Coalmont, Tennessee

Nolensville TN 37135-9790

615/ 776-5919

*clawson-54@united.net*

Senate district: 23

House district: 63

## EDUCATIONAL BACKGROUND

---

1951            Graduated from Grundy County High School  
1966            Completed Carpentry Apprenticeship, Napa Junior College, California

## WORK HISTORY

---

1951-62        Airplane mechanic, U.S. Air Force  
1962-67        Carpenter, Napa California  
1967-79        Contractor, building homes in Grundy County  
1978            Joined Tennessee Air National Guard  
1979-93        Technician, Tennessee Air National Guard  
Retired at age 60 from Air National Guard with more than 25 years of service.  
1994-2005     Farmed, raising animals for eleven years  
1999            Carpenter - still do some carpentry work and furniture building

## HERITAGE / NATIVE AMERICAN INDIAN PREFERENCE

---

Member, Chikamaka-Cherokee Band of the South Cumberland Plateau  
*(Has not qualified for Native American Indian preference.)*

## COMMUNITY INVOLVEMENT

---

I participate in meeting with the Chikamaka-Cherokee Band.  
I served with TNNAC one year, and participated in two conventions.

## MILITARY

---

1951-62        U.S. Air Force, *honorable discharge*  
1978-93        Technician, Tennessee Air National Guard

## STATEMENT

---

My Native American affiliation is with the Chikamaka-Cherokee Band of the Southern Cumberland Plateau for the past four years. For more than two years I have been the registrar for the Band. My job doing this is to affirm Indian connection of applicants for membership in the Chikamaka-Cherokee Band and maintain records of all members. I do not do genealogy for prospective members. However, I have been working on my family genealogy for the past twenty years. I am Native American though six of my Great Grand Parents that I know of.

## CLIFFORD (BILL) WELLS

---

*nominee from Nashville*

106 Lakewood Circle  
Smyrna TN 37167-5307  
615/ 459.3156  
*cwells11@bellsouth.net*

born: 1944 Sherwood, Tennessee

Senate district: 16      House district: 49

### EDUCATIONAL BACKGROUND

---

1962      Graduated from Franklin County High School

### WORK HISTORY

---

1971-*current*      Appraisal Specialist, Division of Property Assessments,  
Comptroller of Treasury, Tennessee  
Project manager for reappraisal programs; delegates staff in monitoring;  
Analyzes appraisal data; develop rates for all major improvements;  
develop land pricing guides for urban and rural small tracts.

1970-71      Mapping Specialist, Cole-Layer-Tumble Appraisal Company  
Plotted warranty deed descriptions on geodic survey maps  
to create ownership base maps for appraisal system

1967-70      Mapping Specialist, Tennessee Mapping & Engineering Company  
Created ownership maps by plotting warranty deed descriptions  
and surveys on geodetic base maps.

### MILITARY

---

1965-67 U.S. Army, 270th Transportation Detachment, Korat, Thailand  
Air frame repairman. Ran sheet metal shop repaired and maintained  
all fixed-wing and rotary aircraft for reconnaissance work over Vietnam.

### HERITAGE / NATIVE AMERICAN INDIAN PREFERENCE

---

None. (*Not Native American Indian; does not qualify for Native American Indian preference.*)

(*Married 39 years to a full-blood member of the Mississippi Band of Choctaw from Lauderdale County, Tennessee;  
grandfather to Choctaw-Hopi-Laguna and Choctaw-Cherokee grandchildren.*)

### STATEMENT

---

I was a delegate to the TNNAC Convention and am very concerned about the problems of Native American Indians in this state and have worked for many years with Native American Indians in Tennessee. I am not Indian but my family is, my wife Sally of 39 years is from the Mississippi Band of Choctaw. We have two children and two grandchildren — what affects the Indian population of Tennessee affects me and my family directly.

### COMMUNITY

---

Delegate to TNNAC Convention 2007  
Member, Native American Indian Association of Tennessee (NAIA) Advisory Board  
Co-Chairman, NAIA/Tennessee State Powwow  
Volunteer, NAIA concession stand at Titans' football games.  
Host and producer of radio show 'Mitakuye Oyasin' American Indian Radio Show  
which features Indian music and Indian talk on WRFN-FMLP 98.9

To: House Speaker James (Jimmy) Naifeh

CC: Candace Cunningham-  
Governor's Boards and Commissions  
Representative Mike Kernell  
Joseph Sanders, TDEC General Counsel  
Ed Harris, TDEC General Counsel  
Sohnia Hong, Assistant Attorney General  
Dale Mitchell, Nominee, Franklin  
Charles Lawson, Nominee, Nolensville  
Clifford 'Bill' Wells, Nominee, Smyrna

Legislative Attorney Fred Standbrook  
Office of Legal Services  
G-10 War Memorial Building  
Nashville TN 37243

Commission of Indian Affairs officers  
Shelley Allen, Vice Chair <scubasquirrel@aol.com>  
tom kunesh, Secretary <tpkunesh@chattanooga.net>

Re: Nomination packet for Nashville Commissioner  
of Indian Affairs, to replace David Teat.

TNNAC officers  
Doug Kirby, chair <rotebard@yahoo.com>,  
Wally Leary, 1st vice chair <wjleary@gmail.com>,  
Dale Mitchell, 2nd vice chair <d.mail55@gmail.com>,  
Patty Beecham, sec'y <spiderlily\_7@hotmail.com>

From: TNNAC c/o Patty Beecham,  
PO Box 261, Big Sandy TN 38221-0261,  
(731) 593-9758, spiderlily\_7@hotmail.com

ACTIA officers  
Otter Lance Davis <docdavis70@hotmail.com>,  
Joe McCaleb <jeremyah@bellsouth.net>,  
Robbie Cody <robbiecody@peoplepc.com>

Rep. James Naifeh  
<speaker.jimmy.naifeh@legislature.state.tn.us>  
19 Legislative Plaza, Nashville TN 37243-0181  
Phone (615) 741-3774  
Staff Contacts: Reta Adams, Burney Durham, Doris  
Holt, Bertha Walker, Jeremy  
Maxwell

Rep. Mike Kernell  
<rep.mike.kernell@legislature.state.tn.us>  
38 Legislative Plaza  
Nashville, TN 37243-0193  
Phone (615) 741-3726  
Fax (615) 253-0320  
Staff Contact: Sarah Adair

Candace Cunningham  
<candace.cunningham@state.tn.us> Governor's  
Community Services, Boards and Commissions  
Governor's Office  
ATTN: Boards and Commissions  
Tennessee State Capitol  
Nashville, TN 37243-0001

Mark James, TDEC General Counsel  
<mark.james@state.tn.us>  
20th Floor, L&C Tower  
401 Church Street  
Nashville TN 37243-1548

Joseph Sanders <joseph.sanders@state.tn.us>  
401 Church Street  
L&C Tower, 21st Floor  
Nashville TN 37243-0435

Sohnia Hong <sohnia.hong@state.tn.us>  
Office of Attorney General  
P.O. Box 20207  
Nashville, Tennessee 37202-0207