

Minutes
of the
Tennessee Native American Convention
13 February 2010
Labry Hall - Cumberland University - Lebanon, TN

Quorum present, meeting called to order.
Prayer offered – by Jim Cossingham
Introductions – by Marcia Cross
Parliamentarian – Turner McCullough, Jr.

Roll call –

West TN: vacant

Middle TN: Jim Cossingham – present, At Large: Doug Kirby – absent,
Interim Secretary: Ramona Reece – present

East TN: Billy Nuckles – present, Harold Robinette Sr. – present
At Large: Pat Taylor – absent

Memphis: Cliff Caudle – present, Diane Christmas – present

Nashville: vacant

Knoxville: Herstle Cross – present, Interim Chair: Marcia Cross – present,

Chattanooga: Tom Kunesh – present, Scott Sanders – absent

Alternates: ETN Harold Robinette, Jr. – present, MTN Glen Reece – absent,
Knoxville Nathan Cross – present, Memphis Patsy Wade – present

Agenda reviewed and approved with additions.

Installation of elect members: Cliff Caudle, Diane Christmas and Patsy Wade, Memphis caucus.
Tom Kunesh, Chattanooga caucus.

Report on vacant TNNAC seats:

WTN: 2 + Alt + At Large (4)

Nashville: 2 + Alt (3); [Charles Lawson caucus Vice-chair, no longer seated on TNNAC due to his appointment to the Tennessee Commission of Indian Affairs in Jan. 2010, by Speaker Kent Williams.]

Knoxville: Alt (1) [Christine Goddard member elect, was not seated due to her appointment to the Tennessee Commission of Indian Affairs in Jan. 2010, by Gov. Phil Bredesen.]

Chattanooga: Alt (1)

Motion made to send notification to Chattanooga caucus rep. Scott Sanders regarding member attendance, in compliance with Bylaws Article 4.6 and Standing Rules Section 6.3, seconded and approved.

Diane Christmas motioned to move ETN alternate Harold Robinette, Sr. to vice-chair for ETN caucus, due to Gene Taylor's expired position & health issues preventing his attendance; and to appoint delegate Harold Robinette, Jr. to fill ETN alternate position. Motion second by Jim Cossingham, motion passed.

Motion to appoint delegate Nathan Cross as Knoxville caucus alternate, seconded and approved.

Resignation of Herstle Cross Knoxville.

Motion to move Knoxville alternate Nathan Cross to vice chair of Knoxville caucus, seconded and approved.

Resolution for Organizational Misconduct Investigation and Dismissal concerning TNNAC member Tom Kunesh read out loud by Parliamentarian, Turner McCullough.

Motion made to accept proposed resolution, seconded and approved. A copy of the resolution was hand delivered to Tom Kunesh and all members present. [Attachment 1]

Motion made for Chair Cross to appoint investigative committee regarding said member's conduct, seconded and approved.

Election of officers:

Chair - Marcia Cross nominated, but declined to be on slate.

Slate:

Jim Cossingham – nominated by Billy Nuckles, elected to position.

Cliff Caudle – nominated by Diane Christmas

Doug Kirby – nominated by Tom Kunesh

1st Vice-chair

Slate:

Billy Nuckles – nominated by Harold Robinette, Sr., elected to position.

2nd Vice-chair

Slate:

Cliff Caudle – nominated by Billy Nuckles, elected to position.

Secretary – Ramona Reece nominated, but declined to be on slate.

Slate:

Diane Christmas – nominated by Harold Robinette, Sr., elected to position.

Nathan Cross – nominated by Billy Nuckles

Ramona Reece motioned to have and elect an assistant secretary until October 2010 or next election. Motion seconded and approved.

Assistant Secretary

Slate:

Nathan Cross – nominated by Ramona Reece, elected to position.

The board elected to have interims, Cross & Reece, continue their officer positions through meeting.

Secretary & Treasurer's Report reviewed and accepted. [Attachment 2]

Minutes for 19 July 2009, 17 October 2009 read as corrected and accepted. Minutes for 5 December 2009 Special Called Meeting and the 2009 Convention reviewed and accepted.

Status of litigation. Final order issued.

Marcia Cross motioned to obtain a gift of recognition for services provided by Atty. Sam Elliott. Motion seconded and approved.

Report status of TCIA appointments:

Nashville Charles Lawson replaced - Bill Wells <i>Appointed by Speaker Williams</i>	Memphis Alice Henry <i>Re-appointed by Lt. Gov. Ramsey</i>	Knoxville Christine Goddard replaced - Jeanie Walkingstick King <i>Appointed by Gov. Bredesen</i>	Chattanooga Tammera Hicks replaced - Tom Kunesh <i>Appointed by Gov. Bredesen</i>
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TNNAC Committees approved and members appointed to committees.

- Bylaws & SOP Cmte. – Ramona Reece chair, Harold Robinette Jr., Billy Nuckles, Tom Kunesh, Marcia Cross, Cliff Caudle
- Records Research Cmte. – Diane Christmas chair, Jim Cossingham, Nathan Cross
- Fundraising Cmte. – Jim Cossingham chair, Harold Robinette Jr., Nathan Cross, Marcia Cross

Motion by Ramona Reece TNNAC suspend indefinitely *Standing Rule 7.1* and hold all meetings on Saturday unless majority of the board votes to hold a meeting otherwise. Motion seconded by Harold Robinette, Jr, motion passed.

Proposed meeting dates (approved):

01 May 2010 (Sat.)

17 July 2010 (Sat.)

23 Oct. 2010 (Sat.)

ACTIA Resolution

Discussion regarding the "*Member Resolution*" of TN non-profit corporation known as ACTIA , (Advisory Council on Tennessee Indian Affairs), and its refusal to acknowledge the 14 November 2009 TNNAC Caucus Election and refusal to seat members duly elected by the Memphis Caucus at said election, as prescribed in ACTIA's Bylaws; "*Article 4. MEMBERSHIP 1. The Advisory Council on Tennessee Indian Affairs shall be governed by a board of directors that shall consist of no more than thirty-five (35) members as follows: 1. (a) Three (3) members from each of the four (4) largest metropolitan regions in the state, ie, Memphis, Nashville, Knoxville, and Chattanooga, selected by each region's caucus as nominees; and 2. (a) ACTIA-nominees shall be chosen through the TNNAC caucus and convention election process.*"

ACTIA's current total membership is 7 or 8, not including 3 Memphis members it's refusing to seat.

From: Dale Mitchell [mailto:d.mail55@...]

Sent: Saturday, November 14, 2009 12:06 PM

To: Patty Beecham; Joe W. McCaleb; Ramona Reece; melba eads; Katherine Osburn; D.mail55@...; Ray Emanuel

Subject: Important ACTIA resolution; please respond ASAP.

In light of our earlier "no confidence" vote regarding TNNAC, and current ongoing developments, I thought it important to get the following resolution online for a vote today. Once it is seconded, then everyone please cast a "yes" or "No" vote by 12:01am Sunday, November 15th.

Please hit "reply all" when you vote, so that everyone on the board can see your vote.

The Advisory Council on Tennessee Indian Affairs has no confidence in the ability of the Tennessee Native American Convention to hold open and impartial elections and therefore will not accept any new members from any TNNAC caucus held after August 1, 2009.

Open seats will be filled by at-large appointments until such time as ACTIA can come up with its own election procedures.

Thank you,

Dale Mitchell

From: Patty Beecham [mailto:amayeduhi@...]
Sent: Monday, November 16, 2009 11:27 PM
To: Joe W. McCaleb; Dale Mitchell; Patty Beecham
Cc: melba eads; Katherine Osburn; Connie Berry; Ramona Reece; Ray Emanuel
Subject: ACTIA: Motion by Dale Mitchell

Motion by Dale Mitchell:

The Advisory Council on Tennessee Indian Affairs has no confidence in the ability of the Tennessee Native American Convention to hold open and impartial elections and therefore will not accept any new members from any TNNAC caucus held after August 1, 2009.

Open seats will be filled by at-large appointments until such time as ACTIA can come up with its own election procedures.

Second:
Patty Beecham

Vote Tally: 5 Yes, 2 Abstain
Patty Beecham Yes
Joe McCaleb Yes
Melba Checote-Eads Yes
Katherine Osburn Yes
Ray Emmanuel Yes (phoned in)

Connie Berry Abstain
Ramona Reece Abstain

Passed:
November 16, 2009

Recorded by:
Patty Beecham
ACTIA Secretary

Motion by Harold Robinette, Jr. for TNNAC to make formal Declaration of No Confidence in the ACTIA organization. Motion seconded. Discussion, Ramona Reece suggested TNNAC give ACTIA the opportunity to reconsider its decision prior to voting on issuing Declaration of No Confidence. Motion withdrawn from the floor and formal motion to provide said opportunity to the ACTIA organization, motion seconded and approved.

Public comments

- Herstle Cross stated he resigned from TNNAC because he was interested in getting involved with ACTIA but not sure now, considering ACTIA's refusal to seat those properly elected to its board through the TNNAC elections.
- Diane Christmas asked to place in the minutes her compliments to TNNAC for the good work it has done the last several months.

Meeting adjourned

Attachments (2):

1. Resolution of Member Misconduct
2. Secretary & Treasurer's Report

Submitted by Interim Secretary, Ramona Reece.

Attachment 2
Tennessee Native American Convention
Secretary's Report
submitted by Ramona Reece, Interim Secretary
13 February 2010

Treasury -

Previous Balance: \$XXXXXX, (17 Oct. 2009).

Expenses: \$-0- *none*.

Current Balance: \$XXXXXX (XX)

Funds transferred to the newly elected secretary 13 Feb. 2010.

Expenses Due:

On 30 November '09, received notice by e-mail from former secretary Evangeline Lynch requesting she be reimbursed postage (of **\$6.20**) for mailing *additional TNNAC Corp. records, which were delivered 3 Dec. '09. A request was made for a copy of the postal receipt, (per Standing Rule Section 8.1 – Finances), so that it could be presented to the board at its next regular meeting, as of this date no receipt has been received.

*Said records submitted to newly elected secretary 13 Feb. '10. (Attachment 2-a – E. Lynch e-mail)

Secretary motioned SR 8.1 be suspended this time in order to reimburse Ms. Lynch (six dollars and 20/100), her personal expense pertaining to TNNAC business, and to accept her e-mail request as a receipt. Motion seconded by Jim Cossingham. Discussion - Tom Kunesh inspected envelope mailed from E. Lynch and totaled the postage to verify amount of \$6.20. Motion passed.

On 1 February '10, received notice by e-mail from Ms. Evangeline Lynch, current registered agent, reference a bill from the clerk and master of Hamilton County Chancery Court, regarding litigation (Tammera Hicks vs TNNAC). The total amount due is XX (**\$XXXXXX**). The bill is dated 25 January 2010, and is stamped "DUE IN 30 DAYS". Actual bill received by USPS 6 Feb., submitted to board 13 Feb. 2010 (Attachment 2-b – E. Lynch e-mail)

Motion by Nathan Cross to get cashiers check and send return receipt request, seconded by Diane Christmas, motion passed.

The Corporation's Annual Report is due no later than 1 April 2010, filing fee **\$40**.

Motion by secretary to appoint a registered agent with stable address instead of agent changing annually, in an effort to possibly save TNNAC certain fees when filing its annual report. Seconded by Diane Christmas, motion passed. The board appointed Harold Robinette, Jr as its registered agent.

Minutes submitted for board's review/approval -

√ 19 July '09 (E-mail copy of Sec. Lynch's, dated 10/21/09), suggested correction to these minutes have been notated on the copy, and a copy sent via e-mail to members.
Reviewed and accepted as amended.

√ 17 Oct '09 (E-mail copy of Sec. Lynch's, dated 10/25/09), suggested correction to these minutes have been notated on the copy, and a copy sent via e-mail to members.
Reviewed and accepted as amended.

√ Special Called Meeting, 5 Dec '09, draft copy sent via e-mail to members.
Reviewed and accepted.

√ Convention 5 Dec '09, draft copy sent via e-mail to members.
Reviewed and accepted.

Records-

✓ Inventory of records received by interim secretary on 17 Oct. '09. (Attachment 2-c)

✓ Records returned to corporation Dec. '09 by former secretary E. Lynch are inventoried in her 30 November '09 e-mail. (RE: Attachment 2-a)

✓ Correspondence regarding status of TNNAC Corporation files. (Attachment 2-d)

Attachments (4):

1. 2-a, E. Lynch e-mail dated 30 November '09, inventory of partial TNNAC records.
2. 2-b, E. Lynch e-mail dated 1 February '10, Clerk & Master invoice.
3. 2-c, Inventory of TNNAC records received on 17 October '09
4. 2-d, R. Reece correspondence RE: Status of corporation files.

Attachment 2-a**TNNAC Secretary's Report****13 Feb. 2010**

From: Van Lynch [mailto:choctaw38330...]

Sent: Monday, November 30, 2009 3:49 PM

To: ramona reece

Cc: marcia cross

Subject: package

Ramona and Marcia:

I sent a package of materials off this morning to you, Ramona, that might be of value to your tasks as secretary.

- 1) roll book
- 2) old complaints
- 3) communications from Attorney Daniell
- 4) Production of Documents

The cost of mailing was \$6.20 for which I would like to be reimbursed please.

Thank you.

Van Lynch

From: Ramona Reece <hzwae...>

Subject: RE: package

To: "Van Lynch" <choctaw38330...>

Cc: "Marcia E. Cross " <EllenCross...>, "Wally Leary" <wjleary...>, "Ramona Reece" <hzwae...>

Date: Tuesday, December 1, 2009, 12:11 PM

Thanks, Ms. Lynch.

I'll make certain your request is made known to the board at the next regular meeting, 16 January '10. We will need a copy of the receipt for the records, so please scan your receipt and e-mail it to me prior to the meeting.

Hope you're feeling better.

Ramona

Standing Rules**SECTION 8 – Finances**

(1) Expenses must be pre-approved by the TNNAC board, or approved by the Chairman and/or Vice Chair, which will be taken into consideration for reimbursement (with receipts) at the next TNNAC board meeting. (6 September 2003)

From: Van Lynch [mailto:choctaw38330...]
Sent: Monday, February 01, 2010 3:57 PM
To: marcia cross; ramona reece; wally leary
Cc: van lynch
Subject: update registered agent

Officers of TNNAC:

Apparently, the registered agent for TNNAC has not been changed from my name to Ramona's name. This will be due soon at the cost of \$40. Ramona, there is a document giving all this information in one of the folders that I gave you.

I recently received communication from S. Lee Akers, Clerk and Master of the Hamilton County Chancery Court in Chattanooga, which states that \$xxxxxx is due in 30 days from the day it was received, which was Jan. 29, for the "cost bills" of Tammera Hicks vs. TNNAC.

The communication will be forwarded to you, Ramona. In the meantime, I will call the chancery court.

Hope all is well with each of you during this real winter weather. I am OK and would not be getting out anyway.

Thank you.

Van Lynch

From: Ramona Reece [mailto:hzwae...]
Sent: Sunday, November 01, 2009 8:51 PM
To: Marcia E. Cross ; Wally Leary
Cc: Ramona Reece
Subject: TNNAC - Inventory of TNNAC Records

Hi Marcia and Wally,

Attached you will find an inventory of the TNNAC records that were turned over to me on 17 Oct. 2009.

Ramona

**Tennessee Native American Convention
Inventory of TNNAC Records**

Folder – "TNNAC Corp. Doc."

2009 Annual Report – change of principal address

Corp. Filing History – print off from Sec. of State's website(from 9/19/03 – 04/01/09)

Minutes:

18 October 2008 meeting (source: www.tnnac.org/minutes)

19 July 2009 meeting (uncorrected/unapproved)

Confidential Disclosure Agreement – blank

E-mail correspondence (7/14/09) from Patty Beecham to Evangeline Lynch,

RE: "List of Signers"

Copy of Unofficial Transcribed Commission's Roll, "State List of Recognized Individuals as Indians in TN Only", Source: personal website of Tom Kunesh (www.tncia.org/state-list-recgnzd-indvdl4.html)

Candidate Folders: contain applications, photos, IDs, signatory sheets, and misc. correspondence.

- "John Anderson" – Chattanooga
- "Christine Goddard" – Knoxville

- “Tammera D. Hicks” – Chattanooga
- “Tom Kunesch” – Chattanooga
- “Charles Lawson” – Nashville
- “Cheryl Sherrill” – Knoxville
- “Phillip D. Stevens” – Memphis
- “Helen Vinson” – Memphis
- “Joseph E. Vinson IV” – Knoxville
- “Clifford (Bill) Wells” – Nashville

Ballot Packets:

- West Grand Division – packet seal had been broken and resealed
- Middle Grand Division – packet sealed
- East Grand Division – packet sealed
- Memphis – outer envelope seal had been broken, inner ballot packet sealed
- Nashville – packet sealed
- Knoxville – outer envelope seal had been broken, inner ballot packet sealed
- Chattanooga – seal broken at 10/17/09 meeting

page 1 of 2

Misc. Folders:

“I. P. Review Forms” – blank

“2009 Applicants Communications” – correspondence from various County Election Commissions, RE: candidates 21 signatories

“2009 Convention/Caucus”:

Caucus Election Reports (excluding West TN)

Chart of Preliminary Caucus Results (Dated: 2 August '09)

List of 2009 Caucus Delegates & Alternates

Visitor Form – blank

Misc. Loose Records:

Sign-in Sheet (from 10/17/09 meeting)

Letters of Resignation:

- Dale Mitchell – Nashville Caucus Chair
- Evangeline Lynch – West TN Caucus At Large

The above list is a complete inventory of all TNNAC records I received on 17 October 2009.

Ramona Reece

Interim Secretary

10/29/2009

page 2 of 2

TENNESSEE NATIVE AMERICAN CONVENTION

www.tnnac.org

Marcia Cross
TNNAC Interim Chair
EllenCross@...

11 February 2010

Hello Marcia,

I am in the process of completing the secretary's report that is due at the next TNNAC meeting. I will be including this correspondence in the report, so that all members may be informed as much as possible on the matter regarding TNNAC's corporate records. Therefore, I felt I should check with you again, regarding your requests to TNNAC's Interim Vice-chair Wally Leary, reference attempts to obtain the "missing" TNNAC records. On 24 October 2009, you made a verbal request for him to contact former secretaries of the TNNAC Corporation to see if they were still in possession of any of the corporate files, and he agreed to do so. After a reasonable period of time had passed with no word, you then sent a written request to him. Have you by chance received a response from Wally to know if he was successful in locating the "missing" records?

Ms. Evangeline Lynch turned over some records at the 17 October 2009 meeting. Then on 30 November '09, she mailed me the remaining records she had retained. I recently had occasion to have contact with a former TNNAC (chair &) secretary, and now member-elect, Tom Kunesh. On 26 January 2010, I requested in an e-mail that he let me know in writing if he was still in possession of any records belonging to TNNAC. For your convenience I have embedded below a copy of my request to him. Since then, 26 January '09, I have received several e-mails from Tom, yet none of them address the inquiry concerning the "missing" records.

The attached PDF is a copy of TNNAC's current status and filing history with the (TN) Secretary of State's office. I was recently informed TNNAC's Corporate Annual Report must be filed no later than 1 April 2010, along with the required filing fee. The filing fee varies, if no changes are made, name, location, etc., the fee will be \$20. Though Ms. Lynch resigned as secretary her resignation did not address her position as the registered agent, and she has continued the duties of that position. However, after reading her most recent e-mail of 1 Feb. 2010, it appears she no longer wants the position, therefore I presume TNNAC will be appointing a new person as the registered agent, creating a change that will result in a filing fee of \$40.

Considering the organization's predicament over its lack of records on file, in my opinion the newly elected secretary will be hindered in performing the duties of the office. In my brief time as interim secretary it has caused some unnecessary inconveniences and hardships. If you are not aware, it is possible to get copies of all the TNNAC documents on file with the Secretary of State's office, by filing Form SS-4461 and paying a nominal \$20. fee, I have attached the form. If the board is willing to approve this expense it may be advantageous for the new secretary and the board as well. There still remains questions as to TNNAC's "tax exempt status". From the records available, it appears TNNAC had considered filing for tax exempt status with the IRS as a 501(c)3, and there are a few references to it in the available minutes, but from all indications at this point, it seems to only have non-profit status with the State of Tennessee. If however, it does in fact have tax exempt status and if the proper forms (I believe #990) are not filed for three consecutive years, its tax exempt status will automatically be revoked by the IRS.

Thank you,
Ramona Reece
TNNAC Interim Secretary

From: Ramona Reece [mailto:hzwae...]

Sent: Tuesday, January 26, 2010 9:47 PM

To: TP Kunesh; Chair (Interim) Marcia Cross; Cliff Caudle; Diane Christmas; 'Doug Kirby'; 'Ed Vinson'; 'Gene & Pat Taylor'; 'Harold Robinette'; 'Herstle Cross'; 'Jim Cossingham'; Nuckles,

Billy Joe; Patsy Wade; 'Ramona Reece'; 'Scott Sanders'; 'Wally Leary'

Subject: Notifications & Records

Hi Tom,

To my knowledge there is no official TNNAC e-mail list. When I became a TNNAC member I created my own personal members list, which has been amended over time as needed, and the same one I use as interim secretary. Currently my list includes members that will be dropping off and all members that were elected by their respective caucuses in '09. You are being included in member notices, refer to the attached e-mail. Please note you were copied in the TO: field which included all TNNAC members, and as a matter of courtesy you were also included in the CC: field along with all other former State Commissioners of Indian Affairs.

Yes, the next TNNAC meeting is scheduled for 30 January. Embedded below is the tentative agenda with additional meeting information. You may want to periodically check the TNNAC website as well www.tnnac.org .

Ms. Lynch, secretary from 2008-09, has turned over all TNNAC records in her possession. After reviewing the contents, there is no doubt the records are incomplete. Not seeing anything in the minutes about lost or destroyed records, and being there is no storage facility maintained by the organization, it seems only logical that the "missing" records are still in the possession of one or more former secretaries. Tom, please notify me in writing as to whether or not you are in possession of any records belonging to the organization. Should you be holding any records, please bring them to the next meeting.

Also, if you prefer I address you as Mr. Kunesh instead of Tom, please advise, but feel free to address me as Ramona. I appreciate the formality, but it's not necessary. Thanks, and see you at the meeting!

Ramona

Tentative Agenda

Tennessee Native American Convention

Saturday, January 30, 2010, 9:30 a.m. CST

Labry Hall (Room 117), Cumberland University

Lebanon, TN

AGENDA

Call to Order

Prayer

Welcome and introductions

Roll call

Review/approve agenda

Election of board members

Election of Officers

Reports

Review/approve minutes and treasurer's report

Old Business

Convention

Status of litigation

New Business

Status of TCIA appointments

Identify and establish committees

Future meeting dates

Closing

Public Comments

Adjourn

-----Original Message-----

From: tom kunesh [mailto:tpkunesh...]

Sent: Wednesday, January 20, 2010 6:35 PM

To: Ramona Reece

Cc: Wally Leary; Scott Sanders; Marcia Cross; Cliff Caudle; Diane Christmas; 'Doug Kirby'; 'Ed Vinson'; 'Gene & Pat Taylor'; 'Harold Robinette'; 'Herstle Cross'; 'Jim Cossingham'; Nuckles, Billy Joe; Patsy Wade; 'Ramona Reece'; Alice G. Henry; Charles Lawson; Christine Goddard; Tammera Hicks; tcia@jemeeks...; Valerie Ohle; Jimmie Thigpen; Jeanie Walkingstick-King; Bill Wells

Subject: Re: Confirmation of TCIA Appointments

Importance: Low

Ms Reece - as the duly elected 2009 Chattanooga-caucus TNNAC representative, please add me to TNNAC's email list and copy me on all official communications.

i understand our next meeting is saturday, 30 january, at Cumberland University.

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