

Sunset Public Hearing Questions for  
**ARCHAEOLOGICAL ADVISORY COUNCIL**  
Created by Section 11-6-103, *Tennessee Code Annotated*  
(Sunset Termination June 2016)

1. Provide a brief introduction to the Archaeological Advisory Council, including information about its purpose, statutory duties, staff and administrative attachment.

*The Archaeological Advisory Council is an 11-member council designed to provide professional advice to the Tennessee Department of Environment and Conservation (TDEC) Commissioner and State Archaeologist on matters of policy and activities of the Division of Archaeology. The Archaeological Advisory Council has no staff, so Division personnel organize meetings and handle other administrative matters as needed. The Native American members of the Council are notified when Native American burial grounds are excavated. The Archaeological Advisory Council is administratively attached to TDEC.*

2. Provide a list of council members and describe how membership complies with Section 11-6-103, *Tennessee Code Annotated*. Are there any vacancies on the council and, if so, what is being done to fill those vacancies?

*Current council membership, with no vacancies, complies with Section 11-6-103, Tennessee Code Annotated as listed below:*

*Dr. Jefferson C. Chapman, Chairperson – The University of Tennessee, Knoxville  
Dr. Kevin Smith, Vice Chairperson – Middle Tennessee State University, Murfreesboro  
Dr. Barbara Tsakirgis – Vanderbilt University, Nashville  
Dr. David Dye – University of Memphis, Memphis  
Dr. Jay Franklin – East Tennessee State University, Johnson City  
Ms. Georgia Dennis – Public at Large  
Mr. Joe Swann – Tennessee Historical Commission  
Ms. Marilyn Peters – Amateur Archaeological Associations  
Ms. Sandra Ellis – Native American  
Mr. Patrick Cummins – Native American  
Mr. Mark Cantrell – Native American*

3. Does the council's membership include public/citizen members? Female members? Members of racial minorities? Members who are 60 years of age or older?

*Yes to all. The council's membership includes one public member, four female members, three Native American members, and five members 60 years of age or older.*

4. How many times did the council meet in fiscal years 2013 and 2014 and to date in fiscal year 2015? How many members were present at each meeting?

*The council meets once each calendar year in conjunction with the annual Current Research in Tennessee Archaeology event in January.  
January 25, 2013 – 9 of 11 members present  
January 24, 2014 – 9 of 11 members present*

*January 23, 2015 – 9 of 11 members present*

5. What per diem or travel reimbursement do council members receive? How much was paid to council members during fiscal years 2013 and 2014 and to date in fiscal year 2015?

*Members receive the standard state travel and per diem rates when they attend meetings.  
FY 2013 – \$336.31  
FY 2014 – \$1482.22  
FY 2015 – \$1885.22*

6. What were the council's revenues (by source) and expenditures (by object) for fiscal years 2013 and 2014 and to date for fiscal year 2015? Does the council carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the council does not carry a fund balance, what was the source of the revenue for the excess expenditures?

*The Archaeological Advisory Council generates no revenue and has no fund balance. Expenses of the council come from Division of Archaeology (327.08) state appropriations as a line item for travel reimbursement to council meetings at current state rates.*

7. Is the council subject to Sunshine law requirements (per Section 8-44-102 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the council have for informing the public of its meetings and making its minutes available to the public?

*Public notice of the TAAC meetings are posted on the TDEC Sunshine Notice web site [http://www.tn.gov/environment/board\\_tn-archaeological-advisory-council.shtml](http://www.tn.gov/environment/board_tn-archaeological-advisory-council.shtml). Council meetings are audio-recorded and tape archives are maintained at the TDOA office where they are available for public inspection.*

8. Does the council have the authority to promulgate rules? If such authority is not granted, does the council feel that authority is needed?

*No. We do not feel that rulemaking power is needed since the department has the rulemaking power under Section 11-6-116(b), Tennessee Code Annotated. See response to Question 12 for an example of how the council and the department work together.*

9. Does the council have a website? If so, please provide the web address. What kind of public information is provided on the website?

*Yes. [http://www.tn.gov/environment/board\\_tn-archaeological-advisory-council.shtml](http://www.tn.gov/environment/board_tn-archaeological-advisory-council.shtml)  
Web site contains basic information about the Council; along with the names, positions, and term expiration dates of each member.*

10. What are the benefits or drawbacks to designation as an archaeological site under the provisions of Section 11-6-110, *Tennessee Code Annotated*? What processes and procedures does the council have to identify and designate such sites? During the last three fiscal years (2013, 2014 and to date in 2015), how many sites have been

recommended by the council for designation in the state registry of significant archaeological sites?

*There is an increased level of penalty for damage caused to a site listed on the Tennessee Register of Archaeological Sites, but listing is voluntary on the part of the owner. Selection of state-owned and privately owned sites is based on perceived or actual threat. No sites have been recommended for inclusion by the Council in the last five years.*

11. During the last three fiscal years (2013, 2014 and to date in 2015), how many criminal prosecutions did the Division of Archaeology undertake under police powers granted to division employees by Section 11-6-112, *Tennessee Code Annotated*?

*Criminal prosecutions are brought by district attorneys, but we have referred no cases to them in the last five years. Division of Archaeology personnel are not commissioned officers. If and when law enforcement officers are needed on state lands, we rely on park rangers.*

12. What procedures has the council formulated, under the authority granted in Section 11-6-119, *Tennessee Code Annotated*, for the timely reburial of Native American burial objects following discovery or confiscation?

*The Council debated and voted on procedures that were incorporated into Rule 0400-9-1 Native American Indian Cemetery Removal and Reburial, promulgated by the Department in 1991. There have been no legal challenges to the rule.*

13. What were the major accomplishments of the council during fiscal year 2014 and to date in fiscal year 2015?

*Discussion of federal NAGPRA (Native American Grave Protection and Repatriation Act) case involving the David Davis Farm site in Hamilton County. Continued professional advice and comment upon Division activities.*

14. Please describe any reports prepared by the council during fiscal year 2014 and to date in fiscal year 2015 and specify to whom the reports are sent. Please attach copies of the reports.

*The 2013 Annual Report of the Tennessee Archaeological Advisory Council was submitted to the legislature in January 2014. The 2014 Annual Report of the Tennessee Archaeological Advisory Council was submitted to the legislature in January 2015.*

15. Has the council developed and implemented quantitative performance measures for ensuring it is meeting its goals? (Please answer either yes or no). If the council has developed and implemented quantitative performance measures, answer questions 16 through 22. If the council has not developed quantitative performance measures, proceed directly to question 23.

*No, the Tennessee Archaeological Advisory Council has not developed and implemented quantitative performance measures for ensuring its goals are met.*

16. What are your key performance measures for ensuring the council is meeting its goals? Describe so that someone unfamiliar with the program can understand what you are trying to measure and why it is important to the operation of your program.

*Not applicable.*

17. What aspect[s] of the program are you measuring?

*Not applicable.*

18. Who collects relevant data and how is this data collected (e.g., what types information systems and/or software programs are used) and how often is the data collected? List the specific resources (e.g., report, other document, database, customer survey) of the raw data used for the performance measure.

*Not applicable.*

19. How is the actual performance measure calculated? If a specific mathematical formula is used, provide it. If possible, provide the calculations and supporting documentation detailing your process for arriving at the actual performance measure.

*Not applicable.*

20. Is the reported performance measure result a real number or an estimate? If an estimate, explain why it is necessary to use an estimate. If an estimate, is the performance measure result recalculated, revised, and formally reported once the data for an actual calculation is available?

*Not applicable.*

21. Who reviews the performance measures and associated data/calculations? Describe any process to verify that the measure and calculations are appropriate and accurate.

*Not applicable.*

22. Are there written procedures related to collecting the data or calculating and reviewing/verifying the performance measure? Provide copies of any procedures.

*Not applicable.*

23. Describe any concerns about the council's performance measures and any changes or improvements you think need to be made in the process.

*There are no performance measures for the council.*

24. Provide an explanation of any items related to the council that may require legislative attention, including your proposed legislative changes.

*None at this time.*

25. Should the council be continued? To what extent and in what ways would the absence of the council affect the public health, safety, or welfare of the citizens of the State of Tennessee?

*Yes. The Council represents an important avenue for discussion of sensitive topics, such as the treatment of prehistoric and early historic human burials. Also, council members serve as an outlet to receive and pass along questions from concerned citizens regarding archaeological sites and advice. The Council also serves as an outlet to receive concerns from the Native American community regarding procedures for the removal and reburial of Native American graves.*

26. Please list all council programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

*None. The Council does not receive direct or indirect federal assistance.*

**If the council does receive federal assistance, please answer questions 27 through 34. If the council does not receive federal assistance, proceed directly to question 33.**

27. Does the council prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

*TDEC has a Title VI Plan that is developed for and applicable to all TDEC programs.*

28. Does the council have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

*TDEC has a Title VI Coordinator and Complaint Officer.*

*Coordinator: Costin Shamble (615-253-8337) - Facilitate Title VI compliance activities; review data and make recommendations of actions to enhance Title VI compliance; conduct Title VI training programs; compile Department's Title VI Implementation Plan; represent TDEC at meetings on Title VI.*

*Complaint Officer: Hoda Guirguis (615-253-3400) - Receives Title VI complaints; conducts an investigation of complaints; facilitates a remedy of Title VI concerns; makes recommendation(s) of actions needed to resolve complaints.*

29. To which state or federal agency (if any) does the council report concerning Title VI? Please describe the information your council submits to the state or federal government and/or provide a copy of the most recent report submitted.

*TDEC is required to submit an annual Title VI Implementation Plan to the Tennessee Human Rights Commission. Additionally, the Plan is submitted to and reviewed by the Title VI Legislative Sub-Committee of the State Legislature. A public hearing is*

*conducted annually on the Plan. Disadvantaged business participation is submitted to the Environmental Protection Agency.*

30. Describe the council's actions to ensure that association staff and clients/program participants understand the requirements of Title VI.

*Internally within TDEC:*

- *Mandatory Civil Rights training of TDEC staff included Title VI*
- *TDEC Title VI brochure distributed to Department staff*
- *Periodic discussions with staff, Title VI related actions/activities*
- *Staff participation in training programs offered by state and federal agencies*

*External actions by TDEC:*

- *Participation in Community Title VI workshops and conferences*
- *Contract language includes Title VI compliance*
- *Posting of Civil Rights posters*
- *Distribution of Title VI brochure*

31. Describe the council's actions to ensure it is meeting Title VI requirements. Specifically, describe any council monitoring or tracking activities related to Title VI, and how frequently these activities occur.

*Minority participation in TDEC programs and activities is reviewed by the Title VI Coordinator. Activities reviewed include: representation on boards, disadvantaged business participation, and public participation. Meetings with the Commissioner's staff are held to discuss minority participation issues at least quarterly.*

32. Please describe the council's procedures for handling Title VI complaints. Has the council received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

*The following steps should be taken to file a Title VI complaint:*

*•It should be written and include your name, address and telephone number. Your complaint must be signed and filed within 180 calendar days of the alleged discriminatory act. If you are filing on behalf of another person, include your name, address, telephone number and your relation to that person (for example: friend, attorney, parent, etc.).*

*•The name and address of the agency, institution or department you believe discriminated against you.*

*•How, why and when you believe you were discriminated against. As much background information as possible should be included about the alleged acts of discrimination. Include names of individuals who you allege discriminated against you, if you know them, as well as any other relevant information.*

•The names of any persons, if known, that the investigating agency could contact for additional information to support or clarify your allegations.

•All complaints must be signed by the complainant.

•The complaint should be sent to the TDEC Title VI Complaint Officer, Hoda Guirguis, William R. Snodgrass TN Tower, 312 Rosa L. Parks Blvd., 10th Floor, Nashville, TN 37243. TDEC's toll free hotline (1-888-891-8332), accessible statewide, is maintained and available for complaints.

Upon receipt of the complaint, the Title VI staff will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. If the complaint is filed by an internal party, TDEC does not have jurisdiction to hear such a complaint. Therefore, TDEC will forward internal complaints to the appropriate agency having jurisdiction to review the complaint. If TDEC has jurisdiction to investigate the issues raised, TDEC's Complaint Officer will investigate and adjudicate the complaint and notify parties of the final decision in writing. If the investigation indicates that a violation did not occur, the department will notify the parties of the final decision in writing.

If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices the complainant will be advised of the right to appeal to EPA (or appropriate federal agency).

Complainants have the option to file a complaint with the appropriate Federal agency no later than 180 calendar days after the alleged discrimination occurred.

PLEASE NOTE: Title VI complaints alleging discrimination on the basis of race, color or national origin against any State of Tennessee department or agency (recipient) or sub-recipient receiving federal financial assistance may also be filed with the Tennessee Human Rights Commission ("THRC"). For more information, please contact THRC via U.S. Postal Mail at William R. Snodgrass Tennessee Tower, 312 Rosa L Parks Ave, 23rd Floor, Nashville, TN 37243 or by phone at (615)741-5825 or toll free at 1(800) 251-3589.

Citizen suits remain an option in this process.

TDEC received one Title VI Complaint during fiscal years 2012-2013 and 2013-2014. The complaint was filed on August 26, 2014. The complainant filed a Title VI complaint against a TDEC sub-recipient utility company for not accepting his cash payment because of his color. Through interviews and document review, the TDEC investigator found that the sub-recipient's rule of not accepting cash payments was not a violation of Title VI of the Civil Rights Act of 1964. This decision was issued in September 2014.

33. Please provide a breakdown of current council staff by title, ethnicity, and gender.

As mentioned in Question 1, the Archaeological Advisory Council has no staff.

34. Please list all council contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

*The Archaeological Advisory Council has no contracts.*

# TENNESSEE ARCHAEOLOGICAL ADVISORY COUNCIL ANNUAL REPORT -- CALENDAR YEAR 2014

## Purpose and Composition

The Tennessee Archaeological Advisory Council (TAAC) was established by the General Assembly (T.C.A. 11-6-103). The primary duties of the council are to advise the Commissioner of the Department of Environment and Conservation (TDEC) and the State Archaeologist and Director of the Division of Archaeology (TDOA) on all matters of policy relating to the activities of the Division and to the employment of professional personnel.

Appointed by the governor to overlapping five-year terms, the eleven council members serve as the policy advisory board for the Division of Archaeology. The council consists of: (1) five anthropologists representing the University of Tennessee, the University of Memphis, Vanderbilt University, Middle Tennessee State University, and East Tennessee State University, respectively; (2) one representative from the Tennessee Historical Commission; (3) one representative from a recognized archaeological association in Tennessee; (4) three members of Native American descent of at least one-quarter (1/4) blood quantum and representative of the Native American community in Tennessee; and (5) one member from the public at large.

## Council Membership (as of December 31, 2014)

The current council members reflect the diversity encouraged on state boards including: one public/citizen member, three members of a racial minority, and four women.

Member	Representing	Appointed	Expiration
Dr. Jefferson C. Chapman, Chair	University of Tennessee	07-01-13	06-30-18
Dr. Kevin E. Smith, Vice-Chair	Middle Tennessee State University	07-01-12	06-30-17
Dr. David Dye	University of Memphis	07-01-10	06-30-15
Dr. Jay Franklin	East Tennessee State University	07-01-11	06-30-16
Dr. Barbara Tsakirgis	Vanderbilt University	07-01-12	06-30-17
Mr. Joe Swann	Tennessee Historical Commission	07-01-11	06-30-16
Ms. Marilyn Peters	Archaeological Association	07-01-11	06-30-16
Ms. Sandra Ellis	Native American	07-01-12	06-30-17
Mr. Mark Cantrell	Native American	10-20-10	06-30-15
Mr. Patrick Cummins	Native American	07-01-13	06-30-18
Ms. Georgia Dennis	Public-at-Large	07-01-08	06-30-13*

\* term has expired but serving until new appointment made.

The Archaeological Advisory Council generates no revenue for the Division of Archaeology operations budget. Expenses of the council are from state appropriations as a line item for travel reimbursement to council meetings at current state rates.

Public notice of the TAAC meetings are posted on the TDEC Sunshine Notice web site [http://www.tn.gov/environment/board\\_tn-archaeological-advisory-council.shtml](http://www.tn.gov/environment/board_tn-archaeological-advisory-council.shtml). All council meetings are audio-recorded and tape archives are maintained at the TDOA office where they are available for public inspection.

### **Council Meeting – Calendar Year 2014**

The Archaeological Advisory Council held its annual meeting on Friday, January 24, 2014 as part of the Current Research in Tennessee Archaeology program in the Ed Jones Auditorium at the Ellington Agricultural Center in Nashville.

*Members Present:* Dr. Jefferson Chapman, Dr. Kevin Smith, Dr. David Dye, Mr. Patrick Cummins, Ms. Georgia Dennis, Dr. Jay Franklin, Dr. Barbara Tsakirgis, Mr. Joseph Swann, and Ms. Sandra Ellis.

*Agenda:*

- Individual Reports by Council Members
- Report on 2013 TDOA activities by State Archaeologist Michael Moore
  - A major reorganization of the Division of Archaeology was implemented on July 1, 2013 to more accurately reflect our current programs that emphasize site information management, federal/state project reviews, and technical assistance. This revision was necessary due to the elimination of our last five part-time positions under the FY12 budget. This removal took away our ability to conduct any type of field excavation beyond small-scale research projects. The Division was previously organized to include prehistoric as well as historic research programs, and both Archaeologist Supervisor positions were dedicated to these programs. This previous organization structure was appropriate when we had 30+ project positions at our disposal to conduct large excavations. The revised Division organization chart has a more traditional management structure with more effective use of the supervisor positions.
  - Division of Archaeology and TDOT archaeology staff participated in a Human Resources event held February 5-8, 2013 to completely rewrite the job specifications for the Archaeologist 1, Archaeologist 2, and Archaeologist Supervisor positions. This action was required by the recent TEAM act legislation (effective October 2012) before any new state hires could be made. This issue was especially relevant for the Division as we anticipated a number of positions to become vacant later in 2013.
  - Archaeologist Supervisor John Broster retired May 31, 2013 after 30 years of state service. Previously retired Division employee Sam Smith's service with the Division officially ended September 30, 2013 as his second 120-day contract on the Rosenwald School project came to an end. As required by HR rules, Sam occupied his previous Archaeologist Supervisor position during his time as a contract employee. As a result of John's retirement and Sam's contract ending, both of the Division's Archaeologist Supervisor positions became vacant at about the same time.
  - Benjamin Nance and Jennifer Barnett were promoted from their Archaeologist 2 positions into the Archaeologist Supervisor positions in August 2013 (Jennifer and Sam did overlap on the same position during August and September until Sam's contract term ended). As a result of these promotions, their Archaeologist 2 positions became vacant.

- Both Archaeologist 2 positions were filled as a result of interviews conducted in December 2013. Suzanne Hoyal was promoted from her Archaeologist 1 position into one of the Archaeologist 2 positions effective December 22, 2013. Sarah Levithol was hired into the other Archaeologist 2 position (to be effective January 6, 2014). Sarah received her B.A. degree in Anthropology from Eckerd College in St. Petersburg, Florida, and her M.A. degree in Anthropology from Vanderbilt University. She has conducted fieldwork in Mexico, Guatemala, and various locations across the southeast and midwest U.S. Sarah represents just the second new Division archaeologist hired within the past 19 years.
- As a result of Suzanne's promotion to Archaeologist 2, her previous Archaeologist 1 position is currently vacant. I'll be seeking approval to fill that position over the coming year. This position will become a support position under the new Site File and Review Group, but work primarily with the Site File Curator.
- The FY14 budget is a continuation of the FY13 budget. Some departments and agencies in state government were asked to prepare 5% contingency reductions for the upcoming FY15 budget, but no such request was made of the Division.
- Last year we initiated a long-term project to make pdf versions of all Division publications (Research Series, Report of Investigations, and Miscellaneous Publications) available on-line for researchers to view and download at no charge. Four more publications (Fernvale, Carter House, Trail of Tears, and American Revolution/War of 1812) were added in 2013.
- 266 new sites were added to the site files, total statewide database of about 25,500+ known archaeological sites.
- 600 replies to site file information requests.
- assisted 155 site file visitors.
- added 700 site survey record pdf's to Division total (about 4000 to date).
- scanned 50 reports (Division total about 850 to date).
- for GIS site file initiative, conducted 3600 site polygon corrections and added 600 polygons for new and revised sites, and other features.
- reviewed 650 federal undertakings.
- reviewed 211 state projects.
- issued 31 permits for archaeological work on state lands.
- responded to 52 requests for cemetery information and technical assistance.
- technical assistance to 47 park projects.
- public archaeology and outreach roles continue to be limited due to staff and budget issues, but Division personnel were able to maintain a presence in the public arena.
- **Mark Norton** continues to organize the monthly meetings of the Old Stone Fort Archaeological Society in Manchester, as well as the Jackson Archaeological Society in Jackson. Mark provided many of the Old Stone Fort and Jackson presentations, as well as presentations to several other groups across the state including the Dickson County Archaeological Society, Mid-TN Gem and Mineral Society, Sons of Confederate Veterans, and several groups in Alabama. Mark also participated in Archaeofest at Pinson Mounds, and the Knap-In's held at Old Stone Fort.
- **Aaron Deter-Wolf** provided a number of public lectures to TN schools and local/civic organizations, including Segal Middle School, Gordon Jewish Community Center, Williamson County Public Library, and Youth Leadership Brentwood. He also gave

several media interviews related to on-going projects such as the Glass Mounds investigations as well as the archaeology of tattooing.

- **Ben Nance** provided programs to the Tennessee Preservation Trust Annual conference, Metro Parks lunch/learn, and a local elementary school.
- **Bill Lawrence** gave a number of presentations across the state to groups ranging from avocational archaeological societies to county historical societies. He also participated in State Park programming such as archaeology day at Junior Ranger camp, and provided a legislative tour at Mound Bottom.
- **Mike Moore** provided presentations on Tennessee archaeology, state cemetery law, and/or NAGPRA to MTSU, Vanderbilt University, the Brentwood Library, and Leadership Brentwood civic group. I also provided assistance and advice to the Friends of Kellytown, a consortium of agencies, organizations, and individuals concerned with the protection and potential purchase of the Kellytown site, a Mississippian period town along the Davidson/Williamson County line that is in danger of development.
- Division staff research projects and publications include:
  - **Mark Norton and John Broster** presented a poster on TN paleoindian sites at the Paleoamerican Odyssey Conference in Santa Fe, New Mexico. They also co-authored a book chapter with Shane Miller, Jesse Tune, and Jon Baker titled “Tennessee’s Paleoindian Record: The Cumberland and Lower Tennessee River Watersheds” in the edited volume “*In the Eastern Fluted Point Tradition*” published by the University of Utah Press.
  - **Mark Norton** made a presentation at the Tennessee Geographic Information Council (TNGIC) meeting on the application of LiDAR data at Pinson Mounds State Archaeological Park.
  - **Ben Nance** continued his laboratory analysis of cultural materials recovered from various investigations conducted at Wynnewood as a result of construction activities to repair the 2008 tornado damage.
  - **Aaron Deter-Wolf** co-edited a book with Carol Diaz-Granados titled “*Drawing with Great Needles: Ancient Tattoo Traditions of Eastern North America*” that was published by the University of Texas Press (Aaron had a chapter in the volume titled “Examining the Archaeological Evidence for Prehistoric Tattooing”). Aaron also completed his monograph on the Fernvale site titled “*The Fernvale Site (40WM51): A Late Archaic Occupation Along the South Harpeth River in Williamson County, Tennessee*” that was published as Division of Archaeology Research Series No. 19. He also co-authored a book chapter with Tanya Peres on symbolism of prehistoric shell in the Southeast for an edited volume titled “*Trends and Tradition in Southeastern Zooarchaeology*” to be published by the University of Florida Press in early 2014. Aaron also authored two articles in the recently published edited volume titled “*Tattoos and Body Modification in Antiquity: Proceedings of the Sessions at the Annual Meetings of the European Association of Archaeologists in the Hague and Oslo, 2010-11*”. He presented a paper titled “Tattoo Bundles of the Midcontinent” at the Southeastern Archaeological Conference in Tampa, Florida; and co-authored a paper with Tanya Peres titled “What We Should Know: An Occupational History of a Shell-Bearing Site Along the Cumberland River, Tennessee” at the Southeastern Archaeological Conference in Tampa, Florida.

- **Mike Moore** co-authored an article with Kevin Smith titled “Avocational and Professional Partnerships: Alive and Well in Middle Tennessee” that was published in the *SAA Archaeological Record*; and co-authored an article with Kevin Smith, Aaron Deter-Wolf, and Emily Beahm titled “Distribution and Context of Worked Crystalline Artifacts from the Middle Cumberland Region of Tennessee” that was accepted for publication in *Southeastern Archaeology*; he also co-authored a book chapter with David Dye and Kevin Smith titled “WPA Excavations at the Mound Bottom and Pack Sites in Middle Tennessee, 1936-1940”, for an edited volume titled *New Deal Archaeology in the Tennessee River Valley* to be published by the University of Alabama Press. He co-authored a presentation with Kevin Smith, David Stuart, and Aaron Deter-Wolf titled “John Bertram Broster: If I Had Known I Would Live This Long, I Would Have Taken Better Care of Myself” that was part of a symposium to honor John Broster at the Southeastern Archaeological Conference in Tampa, Florida. Mike continues to serve with Kevin Smith as co-editorial coordinator of the electronic journal *Tennessee Archaeology*. Volume 7, No. 1 of the journal was published during the fall. Work continues to produce Volume 7, No. 2 later this winter. He co-authored an article with Sarah Blankenship and Bruce Kaiser for Volume 7, No. 1 titled “X-ray Fluorescence Analysis of Two Metal Beads from the David Davis Farm Site (40HA301)”. This research was also presented at the Southeastern Archaeological Conference in Tampa, Florida.
  - Division projects for 2013 included the Rosenwald School Survey; continued burial technical assistance and advice; Glass Mounds testing project to assess National Register eligibility, and continued disposition of the artifacts and records seized from DuVall storage lockers in December 2009.
  - the David Davis Farm site in Chattanooga continues to be our only active NAGPRA case. This case began as a court-ordered burial removal in May 2007, and entered the NAGPRA arena in April 2008 when the skeletal remains and associated burial objects were claimed by the Muscogee (Creek) Nation. Despite the fact the project was conducted by a private landowner working on his private property, the National NAGPRA office decided that NAGPRA applied since the Division had agreed in the court order to hold the removed remains and objects until they could be reburied. As a result of that decision, the Division is no longer able to provide the courtesy of holding skeletal remains or associated burial objects removed from court-ordered removals for reburial. Efforts in 2013 included discussions regarding access to specialized equipment for analysis of the Spanish-contact metal artifacts (such as pXRF), as well as use of a 3D scanner.
- Council Member Discussion
  - Public Comments

### **Current Research in Tennessee Archaeology, Annual Meeting**

Since 1989, the Archaeological Advisory Council has served as a co-sponsor of the annual meeting on Current Research in Tennessee Archaeology (generally scheduled at the end of January) with the Tennessee Division of Archaeology and MTSU Department of Sociology and Anthropology. Plans to establish the meeting were initiated by the Council in 1988 with the idea of promoting "communications among the archaeologists working in the state" (Jefferson

Chapman, Letter to Colleagues, November 7, 1988). The first meeting was held on January 14, 1989 in Garland Hall at Vanderbilt University. A few years later the meeting permanently moved to its current location in the Ed Jones Auditorium on the Ellington Agricultural campus. Over the past twenty years, the annual meeting has become a showcase event in the state, and has sustained support from both the professional archaeological community and the interested public. By holding the council meeting in conjunction with this annual program of Tennessee archaeology, the council has received greater feedback from the council constituency and enhanced the ability of council members to appropriately discuss issues and provide advice to the TDEC Commissioner and State Archaeologist. The Tennessee Council for Professional Archaeology business meeting was also held on Friday, January 24, 2014 as another event with the Current Research meeting. Approximately 160 individuals attended the 19 presentations and 13 posters given on Saturday, January 25, 2014.

For more information, please contact:

Dr. Jefferson Chapman, TAAC Chair, McClung Museum of Natural History and Culture, 1327 Circle Park Drive, Knoxville TN 37996-3200. Email: [jchapman@utk.edu](mailto:jchapman@utk.edu) Telephone: 865-974-2144. Fax: 865-974-3827; or

Dr. Kevin E. Smith, TAAC Vice Chair, Department of Sociology and Anthropology, Campus Box 10, Middle Tennessee State University, Murfreesboro TN 37132-0001. Email: [Kevin.Smith@mtsu.edu](mailto:Kevin.Smith@mtsu.edu) Telephone: 615-898-5958. Fax: 615-904-8589.



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
NASHVILLE, TENNESSEE 37243-0435

**ROBERT J. MARTINEAU, JR.**  
COMMISSIONER

**BILL HASLAM**  
GOVERNOR

MEMORANDUM

TO: Governor Bill Haslam  
Governor of the State of Tennessee

Lieutenant Governor Ron Ramsey  
Speaker of the Senate

Speaker Beth Harwell  
Speaker of the House of Representatives

FROM: Robert J. Martineau, Jr.  
Commissioner 

DATE: January 26, 2015

SUBJECT: Annual Report on Tennessee's Archaeological Advisory Council

Tennessee Code Annotated § 11-6-103 requires the Department of Environment and Conservation to prepare an annual report on the activities and results of the studies of the Archaeological Advisory Council and State Archaeologist. The report is to be submitted to the Governor and Tennessee General Assembly.

Attached is your copy of this year's report that covers FY 2014.

# TENNESSEE ARCHAEOLOGICAL ADVISORY COUNCIL

## ANNUAL REPORT -- CALENDAR YEAR 2014

### Purpose and Composition

The Tennessee Archaeological Advisory Council (TAAC) was established by the General Assembly (T.C.A. 11-6-103). The primary duties of the council are to advise the Commissioner of the Department of Environment and Conservation (TDEC) and the State Archaeologist and Director of the Division of Archaeology (TDOA) on all matters of policy relating to the activities of the Division and to the employment of professional personnel.

Appointed by the governor to overlapping five-year terms, the eleven council members serve as the policy advisory board for the Division of Archaeology. The council consists of: (1) five anthropologists representing the University of Tennessee, the University of Memphis, Vanderbilt University, Middle Tennessee State University, and East Tennessee State University, respectively; (2) one representative from the Tennessee Historical Commission; (3) one representative from a recognized archaeological association in Tennessee; (4) three members of Native American descent of at least one-quarter (1/4) blood quantum and representative of the Native American community in Tennessee; and (5) one member from the public at large.

### Council Membership (as of December 31, 2014)

The current council members reflect the diversity encouraged on state boards including: one public/citizen member, three members of a racial minority, and four women.

Member	Representing	Appointed	Expiration
Dr. Jefferson C. Chapman, Chair	University of Tennessee	07-01-13	06-30-18
Dr. Kevin E. Smith, Vice-Chair	Middle Tennessee State University	07-01-12	06-30-17
Dr. David Dye	University of Memphis	07-01-10	06-30-15
Dr. Jay Franklin	East Tennessee State University	07-01-11	06-30-16
Dr. Barbara Tsakirgis	Vanderbilt University	07-01-12	06-30-17
Mr. Joe Swann	Tennessee Historical Commission	07-01-11	06-30-16
Ms. Marilyn Peters	Archaeological Association	07-01-11	06-30-16
Ms. Sandra Ellis	Native American	07-01-12	06-30-17
Mr. Mark Cantrell	Native American	10-20-10	06-30-15
Mr. Patrick Cummins	Native American	07-01-13	06-30-18
Ms. Georgia Dennis	Public-at-Large	07-01-08	06-30-13*

\* term has expired but serving until new appointment made.

The Archaeological Advisory Council generates no revenue for the Division of Archaeology operations budget. Expenses of the council are from state appropriations as a line item for travel reimbursement to council meetings at current state rates.

Public notice of the TAAC meetings are posted on the TDEC Sunshine Notice web site [http://www.tn.gov/environment/board\\_tn-archaeological-advisory-council.shtml](http://www.tn.gov/environment/board_tn-archaeological-advisory-council.shtml). All council meetings are audio-recorded and tape archives are maintained at the TDOA office where they are available for public inspection.

### **Council Meeting – Calendar Year 2014**

The Archaeological Advisory Council held its annual meeting on Friday, January 24, 2014 as part of the Current Research in Tennessee Archaeology program in the Ed Jones Auditorium at the Ellington Agricultural Center in Nashville.

*Members Present:* Dr. Jefferson Chapman, Dr. Kevin Smith, Dr. David Dye, Mr. Patrick Cummins, Ms. Georgia Dennis, Dr. Jay Franklin, Dr. Barbara Tsakirgis, Mr. Joseph Swann, and Ms. Sandra Ellis.

*Agenda:*

- Individual Reports by Council Members
- Report on 2013 TDOA activities by State Archaeologist Michael Moore
  - A major reorganization of the Division of Archaeology was implemented on July 1, 2013 to more accurately reflect our current programs that emphasize site information management, federal/state project reviews, and technical assistance. This revision was necessary due to the elimination of our last five part-time positions under the FY12 budget. This removal took away our ability to conduct any type of field excavation beyond small-scale research projects. The Division was previously organized to include prehistoric as well as historic research programs, and both Archaeologist Supervisor positions were dedicated to these programs. This previous organization structure was appropriate when we had 30+ project positions at our disposal to conduct large excavations. The revised Division organization chart has a more traditional management structure with more effective use of the supervisor positions.
  - Division of Archaeology and TDOT archaeology staff participated in a Human Resources event held February 5-8, 2013 to completely rewrite the job specifications for the Archaeologist 1, Archaeologist 2, and Archaeologist Supervisor positions. This action was required by the recent TEAM act legislation (effective October 2012) before any new state hires could be made. This issue was especially relevant for the Division as we anticipated a number of positions to become vacant later in 2013.
  - Archaeologist Supervisor John Broster retired May 31, 2013 after 30 years of state service. Previously retired Division employee Sam Smith's service with the Division officially ended September 30, 2013 as his second 120-day contract on the Rosenwald School project came to an end. As required by HR rules, Sam occupied his previous Archaeologist Supervisor position during his time as a contract employee. As a result of John's retirement and Sam's contract ending, both of the Division's Archaeologist Supervisor positions became vacant at about the same time.
  - Benjamin Nance and Jennifer Barnett were promoted from their Archaeologist 2 positions into the Archaeologist Supervisor positions in August 2013 (Jennifer and Sam did overlap on the same position during August and September until Sam's contract term ended). As a result of these promotions, their Archaeologist 2 positions became vacant.

- Both Archaeologist 2 positions were filled as a result of interviews conducted in December 2013. Suzanne Hoyal was promoted from her Archaeologist 1 position into one of the Archaeologist 2 positions effective December 22, 2013. Sarah Levithol was hired into the other Archaeologist 2 position (to be effective January 6, 2014). Sarah received her B.A. degree in Anthropology from Eckerd College in St. Petersburg, Florida, and her M.A. degree in Anthropology from Vanderbilt University. She has conducted fieldwork in Mexico, Guatemala, and various locations across the southeast and midwest U.S. Sarah represents just the second new Division archaeologist hired within the past 19 years.
- As a result of Suzanne's promotion to Archaeologist 2, her previous Archaeologist 1 position is currently vacant. I'll be seeking approval to fill that position over the coming year. This position will become a support position under the new Site File and Review Group, but work primarily with the Site File Curator.
- The FY14 budget is a continuation of the FY13 budget. Some departments and agencies in state government were asked to prepare 5% contingency reductions for the upcoming FY15 budget, but no such request was made of the Division.
- Last year we initiated a long-term project to make pdf versions of all Division publications (Research Series, Report of Investigations, and Miscellaneous Publications) available on-line for researchers to view and download at no charge. Four more publications (Fernvale, Carter House, Trail of Tears, and American Revolution/War of 1812) were added in 2013.
- 266 new sites were added to the site files, total statewide database of about 25,500+ known archaeological sites.
- 600 replies to site file information requests.
- assisted 155 site file visitors.
- added 700 site survey record pdf's to Division total (about 4000 to date).
- scanned 50 reports (Division total about 850 to date).
- for GIS site file initiative, conducted 3600 site polygon corrections and added 600 polygons for new and revised sites, and other features.
- reviewed 650 federal undertakings.
- reviewed 211 state projects.
- issued 31 permits for archaeological work on state lands.
- responded to 52 requests for cemetery information and technical assistance.
- technical assistance to 47 park projects.
- public archaeology and outreach roles continue to be limited due to staff and budget issues, but Division personnel were able to maintain a presence in the public arena.
- **Mark Norton** continues to organize the monthly meetings of the Old Stone Fort Archaeological Society in Manchester, as well as the Jackson Archaeological Society in Jackson. Mark provided many of the Old Stone Fort and Jackson presentations, as well as presentations to several other groups across the state including the Dickson County Archaeological Society, Mid-TN Gem and Mineral Society, Sons of Confederate Veterans, and several groups in Alabama. Mark also participated in Archaeofest at Pinson Mounds, and the Knap-In's held at Old Stone Fort.
- **Aaron Deter-Wolf** provided a number of public lectures to TN schools and local/civic organizations, including Segal Middle School, Gordon Jewish Community Center, Williamson County Public Library, and Youth Leadership Brentwood. He also gave

- several media interviews related to on-going projects such as the Glass Mounds investigations as well as the archaeology of tattooing.
- **Ben Nance** provided programs to the Tennessee Preservation Trust Annual conference, Metro Parks lunch/learn, and a local elementary school.
  - **Bill Lawrence** gave a number of presentations across the state to groups ranging from avocational archaeological societies to county historical societies. He also participated in State Park programming such as archaeology day at Junior Ranger camp, and provided a legislative tour at Mound Bottom.
  - **Mike Moore** provided presentations on Tennessee archaeology, state cemetery law, and/or NAGPRA to MTSU, Vanderbilt University, the Brentwood Library, and Leadership Brentwood civic group. I also provided assistance and advice to the Friends of Kellytown, a consortium of agencies, organizations, and individuals concerned with the protection and potential purchase of the Kellytown site, a Mississippian period town along the Davidson/Williamson County line that is in danger of development.
  - Division staff research projects and publications include:
    - **Mark Norton and John Broster** presented a poster on TN paleoindian sites at the Paleoamerican Odyssey Conference in Santa Fe, New Mexico. They also co-authored a book chapter with Shane Miller, Jesse Tune, and Jon Baker titled "Tennessee's Paleoindian Record: The Cumberland and Lower Tennessee River Watersheds" in the edited volume *"In the Eastern Fluted Point Tradition"* published by the University of Utah Press.
    - **Mark Norton** made a presentation at the Tennessee Geographic Information Council (TNGIC) meeting on the application of LiDAR data at Pinson Mounds State Archaeological Park.
    - **Ben Nance** continued his laboratory analysis of cultural materials recovered from various investigations conducted at Wynnewood as a result of construction activities to repair the 2008 tornado damage.
    - **Aaron Deter-Wolf** co-edited a book with Carol Diaz-Granados titled *"Drawing with Great Needles: Ancient Tattoo Traditions of Eastern North America"* that was published by the University of Texas Press (Aaron had a chapter in the volume titled "Examining the Archaeological Evidence for Prehistoric Tattooing"). Aaron also completed his monograph on the Fernvale site titled *"The Fernvale Site (40WM51): A Late Archaic Occupation Along the South Harpeth River in Williamson County, Tennessee"* that was published as Division of Archaeology Research Series No. 19. He also co-authored a book chapter with Tanya Peres on symbolism of prehistoric shell in the Southeast for an edited volume titled *"Trends and Tradition in Southeastern Zooarchaeology"* to be published by the University of Florida Press in early 2014. Aaron also authored two articles in the recently published edited volume titled *"Tattoos and Body Modification in Antiquity: Proceedings of the Sessions at the Annual Meetings of the European Association of Archaeologists in the Hague and Oslo, 2010-11"*. He presented a paper titled "Tattoo Bundles of the Midcontinent" at the Southeastern Archaeological Conference in Tampa, Florida; and co-authored a paper with Tanya Peres titled "What We Should Know: An Occupational History of a Shell-Bearing Site Along the Cumberland River, Tennessee" at the Southeastern Archaeological Conference in Tampa, Florida.

- **Mike Moore** co-authored an article with Kevin Smith titled "Avocational and Professional Partnerships: Alive and Well in Middle Tennessee" that was published in the *SAA Archaeological Record*; and co-authored an article with Kevin Smith, Aaron Deter-Wolf, and Emily Beahm titled "Distribution and Context of Worked Crystalline Artifacts from the Middle Cumberland Region of Tennessee" that was accepted for publication in *Southeastern Archaeology*; he also co-authored a book chapter with David Dye and Kevin Smith titled "WPA Excavations at the Mound Bottom and Pack Sites in Middle Tennessee, 1936-1940", for an edited volume titled *New Deal Archaeology in the Tennessee River Valley* to be published by the University of Alabama Press. He co-authored a presentation with Kevin Smith, David Stuart, and Aaron Deter-Wolf titled "John Bertram Broster: If I Had Known I Would Live This Long, I Would Have Taken Better Care of Myself" that was part of a symposium to honor John Broster at the Southeastern Archaeological Conference in Tampa, Florida. Mike continues to serve with Kevin Smith as co-editorial coordinator of the electronic journal *Tennessee Archaeology*. Volume 7, No. 1 of the journal was published during the fall. Work continues to produce Volume 7, No. 2 later this winter. He co-authored an article with Sarah Blankenship and Bruce Kaiser for Volume 7, No. 1 titled "X-ray Fluorescence Analysis of Two Metal Beads from the David Davis Farm Site (40HA301)". This research was also presented at the Southeastern Archaeological Conference in Tampa, Florida.
  - Division projects for 2013 included the Rosenwald School Survey; continued burial technical assistance and advice; Glass Mounds testing project to assess National Register eligibility, and continued disposition of the artifacts and records seized from DuVall storage lockers in December 2009.
  - the David Davis Farm site in Chattanooga continues to be our only active NAGPRA case. This case began as a court-ordered burial removal in May 2007, and entered the NAGPRA arena in April 2008 when the skeletal remains and associated burial objects were claimed by the Muscogee (Creek) Nation. Despite the fact the project was conducted by a private landowner working on his private property, the National NAGPRA office decided that NAGPRA applied since the Division had agreed in the court order to hold the removed remains and objects until they could be reburied. As a result of that decision, the Division is no longer able to provide the courtesy of holding skeletal remains or associated burial objects removed from court-ordered removals for reburial. Efforts in 2013 included discussions regarding access to specialized equipment for analysis of the Spanish-contact metal artifacts (such as pXRF), as well as use of a 3D scanner.
- Council Member Discussion
  - Public Comments

### **Current Research in Tennessee Archaeology, Annual Meeting**

Since 1989, the Archaeological Advisory Council has served as a co-sponsor of the annual meeting on Current Research in Tennessee Archaeology (generally scheduled at the end of January) with the Tennessee Division of Archaeology and MTSU Department of Sociology and Anthropology. Plans to establish the meeting were initiated by the Council in 1988 with the idea of promoting "communications among the archaeologists working in the state" (Jefferson

Chapman, Letter to Colleagues, November 7, 1988). The first meeting was held on January 14, 1989 in Garland Hall at Vanderbilt University. A few years later the meeting permanently moved to its current location in the Ed Jones Auditorium on the Ellington Agricultural campus. Over the past twenty years, the annual meeting has become a showcase event in the state, and has sustained support from both the professional archaeological community and the interested public. By holding the council meeting in conjunction with this annual program of Tennessee archaeology, the council has received greater feedback from the council constituency and enhanced the ability of council members to appropriately discuss issues and provide advice to the TDEC Commissioner and State Archaeologist. The Tennessee Council for Professional Archaeology business meeting was also held on Friday, January 24, 2014 as another event with the Current Research meeting. Approximately 160 individuals attended the 19 presentations and 13 posters given on Saturday, January 25, 2014.

For more information, please contact:

Dr. Jefferson Chapman, TAAC Chair, McClung Museum of Natural History and Culture, 1327 Circle Park Drive, Knoxville TN 37996-3200. Email: [jchapman@utk.edu](mailto:jchapman@utk.edu) Telephone: 865-974-2144. Fax: 865-974-3827; or

Dr. Kevin E. Smith, TAAC Vice Chair, Department of Sociology and Anthropology, Campus Box 10, Middle Tennessee State University, Murfreesboro TN 37132-0001. Email: [Kevin.Smith@mtsu.edu](mailto:Kevin.Smith@mtsu.edu) Telephone: 615-898-5958. Fax: 615-904-8589.