

# TRIBAL COUNCIL OF THE LUMBEE TRIBE

## D R A F T

### TRIBAL COUNCIL MEETING

#### Minutes

**Saturday, January 19, 2002**

Delton Oxendine, Tribal Speaker, called the meeting to order. Tribal Chaplain Steve Locklear gave the invocation. Tribal Secretary Rosa Winfree called the roll.

#### Members Present

Milton R. Hunt, Chairman	Lonnie Revels, Jr.	Henry Clay Chavis
Delton Oxendine	Larmari L. Mitchell	James Hardin
Jimmy Hunt	H. Dobbs Oxendine	Darlene Jacobs
Larece Hunt	Danita Locklear	Linda Hammonds
Traci Locklear Guerra	Rhonda Locklear	Randall S. Jones
Craig D. McMillian	Steve Locklear	Rosa Winfree
Daucey Brewington (By Teleconference)		Mike C. McNeill
Reginald Oxendine		

Members Absent: Walter Martin Lowery  
Roderick G. Locklear

Staff: Dr. Ruth Dial Woods, Tribal Administrator  
Patrick Bullard, Tribal Comptroller  
Ruth B. Locklear, Tribal Office for Governance  
Billy Brooks, Director of Housing  
Gary Strickland, Jr., Community Relations Specialist  
June Jacobs, Intake and Outreach Specialist  
Truman Lowery, Intake and Outreach Specialist  
Tara Blue, Tribal Enrollment Clerk  
Sheryl Lindsey, Administrative Secretary

#### Visitors:

Tribal Speaker Oxendine recognized Councilman H. Dobbs Oxendine for a point of personal privilege. Councilman Oxendine thanked the Council for their prayers and support during the illness and death of his son.

#### Finance and Audit Committee Report

Tribal Speaker Oxendine recognized Larece Hunt, Chairman of the Finance

Committee for a report from the Finance and Audit Committee in order to allow the Tribal Comptroller to leave the meeting to attend class.

Jimmy Hunt made a motion, seconded by Darlene Jacobs to accept and approve the financial reports for November 2001 and December 2001. The motion carried.

Chairman Hunt reported that the Attorney had advised that the American Fundware Software be returned and subsequent legal action undertaken and that the staff had been directed to follow the advice of the Attorney.

Darlene Jacobs made a motion, seconded by Lonnie Revels, to move the matter of the procurement policy to the February meeting of the Tribal Council to allow time for joint committee review and the motion carried.

#### Approval of Minutes

Steve Locklear made a motion, seconded by Larece Hunt, to approve and adopt minutes of the December 15 meeting with corrections and the motion carried.

#### Oath of Office Under Lumbee Tribal Constitution

Councilman Lonnie Revels recommended that the oath of office be delayed until tribal policies could be brought into conformity with the Tribal Constitution. Reginald Oxendine spoke in opposition to the lack of adoption of policies and lack of adequate knowledge to effectively deal with the Constitution. Darlene Jacobs opposed being sworn in a second time since the Council had taken an oath of office in January 2001 and stated that the Constitution did not state that a second oath would be needed. Linda Hammonds, Chair of the Constitution Committee stated that the adopted Constitution is an ongoing document that will incorporate changes through ordinances and that the seated Council will have the responsibility to develop by-laws, ordinances, and policies.

Louise Mitchell offered a motion to proceed with taking the oath of office on the Constitution that had been voted upon and passed by the Lumbee people. The motion was seconded by Henry Clay Chavis. Darlene Jacobs made a motion, seconded by H. Dobbs Oxendine to close discussion. The motion failed with 15 votes in opposition and 6 votes in support.

Later in the meeting to clarify the intent of the Council, Larece Hunt brought the matter before the Council and made a motion, seconded by Mike McNeill to prepare for swearing in and oath of office at the February meeting of the Council and the motion carried.

#### Recognition of Tribal Chairman

Tribal Chairman Milton R. Hunt stated that he was in the Tribal Office almost on a daily basis. Projects including Housing, committee workshops, and proposed grants

were contribution to a more viable and visible organization over the past 13 months. His priorities are to put a Judicial Court in place and he will incorporate the ideas that he has garnered from local American Indian attorneys and will be sending letters to others for ideas and suggestions.

### Scheduling of Tribal Council Meetings

Tribal Speaker Oxendine encouraged all Committees needing a meeting to schedule these meetings during the first week of the month in order to assist staff in timely presentation of minutes and forwarding of Council packages at least seven (7) days in advance of a Tribal Council meeting.

### Election of Officers

All sitting Chairpersons of Council Committees were re-elected to serve in this capacity for the next year. The following Chairpersons and Officers were re-elected:

Delton Oxendine, Tribal Speaker  
James Hardin, Vice-Chairman  
Rosa Winfree, Secretary  
Danita Locklear, Treasurer  
Traci Locklear Guerra, Parliamentarian  
Steve Locklear, Chaplain

Henry Clay Chavis made a motion to re-classify the Constitution Committee to the Committee on Tribal Ordinances. The motion was seconded by Larmari Mitchell. Daucey Brewington made a substitute motion to disband and reconstitute the Committee and the substitute motion died for a lack of a second. James Hardin made a motion to vote on the original motion to retain the Committee Chair and reclassify the name of the Committee; seconded by Louise Mitchell and the motion carried.

Traci Guerra suggested that all Committee members let their respective Chair know that they (1) do not want to serve on a committee and (2) cannot attend committee meetings.

Subsequent discussion reinforced previous action by the Council that Tribal Committees could not have more than 12 members in order to avoid having a quorum of the Council in attendance. James Hardin made a motion that the Council enforce the policy of replacing members who miss three (3) meetings and apply the policy to Committee members. He made a motion that Committee members who miss three (3) meetings can be replaced if they do not notify the respective Committee Chair. The motion was seconded by Jimmy Hunt and carried.

### LIHEAP Report

Shirley Locklear, Director of the Low Income Heating and Energy Assistance Program (LIHEAP) presented a written report to the Council on status of the project. She reported that the Crisis Program began in December and 3016 energy checks were in process with amounts based on the state matrix system. She suggested that the Tribal Council negotiate and renegotiate an increase in funds made available to LIHEAP based on a reduction from 2001 (\$778,000) to 2001 (\$411,000). The Council was made aware of the expected differences in the amount of the checks as compared with the amount of checks written the previous year with 82% of the applicants receiving 91% of the funds. To date, 1644 electricity checks and 838 LP checks had been written and most were for new applicants as opposed to previous and/or returning applicants.

In response to a question regarding denials, Ms. Locklear reported that over asset limits, over income limits and inaccurate information often contributed to denials. Ms. Locklear reminded the Council that the State provided the Food Stamp List which service to quickly identify eligible applicants and invited the Council to contact her office for referrals.

Randall Jones, Chairman of the Committee on Health and Human Services recommended that the Tribal Council start negotiating for FY 2003 funds as soon as possible. Traci L. Guerra seconded the motion and the motion carried.

#### Housing Program Report

Billy Brooks, Director of Housing provided an update of NAHASDA Applications.

Following is a breakdown of those applications.

<u>62 &amp; Above</u>	<u>55-61</u>	<u>40-54</u>	<u>39 &amp; below</u>	<u>Totals</u>	
<b>Rehab</b>	<b>421</b>	<b>132</b>	<b>256</b>	<b>89</b>	<b>898</b>
<b>H'Ship</b>	<b>21</b>	<b>20</b>	<b>63</b>	<b>121</b>	<b>225</b>
<b>Down Pay</b>	<b>2</b>	<b>7</b>	<b>29</b>	<b>107</b>	<b>145</b>
<b>Emer. Hsg.</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>8</b>	<b><u>13</u></b>
					<b>1281</b>

#### Introduction of Staff

Billy Brooks, Director of Housing, introduced the following Tribal Council staff:  
June Jacobs, Intake and Outreach Specialist

Truman Lowery, Intake and Outreach Specialist  
 Gary W. Strickland, Jr., Community Relations Specialist

Dr. Woods, Tribal Administrator, introduced new staff employed since the last meeting of the Tribal Council:

Tara Blue, Tribal Enrollment Clerk  
 Sheryl Lindsey, Administrative Secretary

## **COMMITTEE REPORTS**

### Housing Committee

Jimmy Hunt, Committee Chairman, updated the Council on activities since the last Tribal Council Meeting that included (1) a Housing Workshop; (2) Review of Housing Policies and (3) negotiations to initiate the previously approved Housing Survey in preparation for the FY 2002 Indian Housing Plan.

Mr. Hunt referred to a monthly report prepared by the NC Indian Housing Authority on 1937 housing stock. He also announced that the Council was invited to participate in the February 7<sup>th</sup> site visit to the Catawba Green Earth Project in Rock Hill, SC and that letters would be forthcoming.

Mr. Hunt announced that the next meeting of the Housing Committee would be a joint meeting with the Finance and Audit Committee on Thursday, January 24 at 7:00 P.M.

### Transition and Personnel Committee

Chairman Lonnie Revels reported the following activities of the Committee:

1. Authorized staff to identify, prepare and submit project and grant applications;
2. Staff has been directed to develop an official "Definition of Indian Preference" that will include both state and federally recognized Indians;
3. Staff has been directed to develop process and procedures for certification of Indian contractors that will include 51% ownership in the contracting firm/business/corporation (see recorded vote);
4. Adopt and continue the established procedure for elections by district constituents to the North Carolina Commission on Indian Affairs (see recorded vote);
5. Join in membership with United Tribes Inc. and appoint the Tribal Administrator to the Board of Directors;
6. Seek support from the North Carolina Commission of Indian Affairs for the Workforce Investment Act project application, and

7. In the absence of tribal ordinances, authorize staff to operate under current tribal policies until completion and/or adoption of such tribal ordinances.

Jimmy Goins seconded the Committee recommendations. James Hardin made a motion to exclude Cumberland County from the WIA application, and if not passed, that they be so notified that the Council planned to seek their service area. The substitute motion died for lack of a second. Votes were cast to adopt and accept the Committee Report and Daucey Brewington and James Hardin abstained from voting.

#### Health and Human Services Committee

Randall Jones, Committee Chairman, reported that the Committee would have a drafted policy on the adoption of Indian children consistent with the Indian Child Welfare Act for review by the Council at the February meeting.

Chairman Jones announced that the Lumbee River Electric Membership Cooperative (LREMC) has \$25,000 for the HELP A NEEDY FRIEND project and that energy applications would be taken between February 6 and February 20.

#### Public Relations Committee

Darlene Jacobs, Committee Chair, stated that there had been no meeting or additional activities since the report mailed to the Council. She announced that the Committee would seek \$25.00 annually from each Council member for the Flower Fund.

#### Federal Recognition Committee

Rosa Winfree announced a correction to the Committee Report indicating that she had been appointed as the contact person with Secretary Elizabeth Dole and she had done so.

The Council was reminded of the Federal Recognition workshop scheduled for Friday, January 25 from 1:00 until 6:00 with Dr. Arlinda Locklear and guests.

#### Constitution Committee

Linda Hammonds, Committee Chair, reminded the Council of the need for two (2) names for the Elections Board for the February Meeting and the need for a Tribal Ordinance establishing an Annual Meeting.

### **STAFF REPORTS**

Ruth B. Locklear, announced the funding of the Community Service Block Grant. She reported that two additional grants were being prepared – a CDFI Training and Technical Assistance Grant to the US Department of Treasury and a WIA grant to the US Department of Labor.

James Hardin made a motion to exclude Cumberland County, and if not passed, to advise them that the Tribal Council plans to seek their service area. The motion died for the lack of a second.

Craig McMillian made a motion, seconded by Louise Mitchell, to proceed with the development and submission of the CDFI grant and the WIA grant. The motion carried.

Craig McMillian made a motion, seconded by Danita Locklear, to collaborate with eligible church and community groups and organizations in the DSGB Food Bank.

#### Change in Tribal Council Meeting Dates

James Hardin made a motion, seconded by Craig McMillian, to change the monthly meetings of the Tribal Council to the third Thursday of each month at 6:30 P.M. and that the agenda include time for Committee Reports. The motion carried.

#### **ANNOUNCEMENT OF UPCOMING MEETINGS**

Jimmy Goins announced that NC State University would hold a focus group discussion at LRDA offices on Tuesday, January 21 at 1:00 PM for farmers and landowners with 100 acres or less of woodlands and interest in establishing woodlands.

Dr. Woods announced that she and Tribal Chairman Milton R. Hunt had been invited to attend a Planning Task Force for an Indian Leadership Institute at UNC Chapel Hill on Saturday, January 26, but only she would be attending.

Darlene Jacobs announced that there would be a community meeting at Prospect School on Thursday night, January 24, at 7:00 P.M. on the E-coli Outbreak at that school.

#### **ADJOURNMENT**

After a benediction by Tribal Chaplain Steve Locklear, the Tribal Council Meeting adjourned at 1: 45 PM.