

1 LUMBEE TRIBE OF NORTH CAROLINA

2 TRIBAL COUNCIL MEETING

3 THURSDAY, JUNE 23, 2005

4 -6:30 p.m. -

5  
6 MR. DAVID CARTER called the meeting to order.

7 MR. BURNETTE gave the invocation.

8 MR. DAVID CARTER led the Pledge of Allegiance.

9 MS. FRANCES CHAVIS: Roll Call.

10 Larece Hunt: Here.

11 Rudolphus "Dock" Hunt: Here.

12 Gerald Goolsby: Here.

13 David Carter: Here.

14 Pearlean Revels: Here.

15 Sanford Locklear: Here.

16 Henry C. Chavis: Absent at time of roll  
17 call.

18 Kent Hunt: Here.

19 Frances Chavis Here.

20 Lawrence Locklear: Here.

21 Joel Garth Locklear: Here.

22 James Harold Locklear: Here.

23 Lois Oxendine: Here.

24 Jerl Locklear: Here.

25 Linda Hammonds: Here.

1 Sherry Carter: Here.

2 Aggie Deese: Here.

3 Montford "Buddy" Dial: Absent.

4 Alton Locklear: Here.

5 Welford Clark Here.

6 MS. FRANCES CHAVIS: We have a quorum.

7 MR. DAVID CARTER changed the agenda by adding some  
8 items for discussion, adding Recognition of Youth, Housing Issues,  
9 and Administrator's Report

10 MR. JOEL GARTH LOCKLEAR made the motion to accept the  
11 agenda with the changes. MR. LARECE HUNT seconded the motion; the  
12 motion carried.

13 Approval of minutes from the May, 26, 2005 meeting.  
14 Mr. Welford Clark noted corrections on page 31, line 22 and page 34,  
15 line 13 was spoken by Dr. Dock Hunt. Also, on page 6, line 10 should  
16 be "ordinance" instead of "meeting". Ms. Aggie Deese moved to  
17 approve the minutes with the changes noted, seconded by Pearlean  
18 Revels; motion carried.

19 Next item on the agenda was Special Recognition of Youth  
20 for their outstanding academic and athletic abilities. 1) Mr.  
21 Marcus Oxendine, Valedictorian from South Robeson High School, 2)  
22 Kristin Locklear (District 12) Salutatorian from Purnell Swett High  
23 School, 3) Casa Marie Bell recognized for excellence in sports, All  
24 County in soccer from Hoke County High School, and Kaland Eddings,  
25 member of Elite Robeson Rocket basketball team winning the North

1 Carolina (YBOA) Youth Basketball of American championship and will  
2 play in the national championship game in Orlando, Florida. (Board  
3 members gave donations for the trip to Florida.)

4 Comments from the audience was next on the agenda. No  
5 comments were presented.

6 **Old Business** -

7 **Review of Budget Ordinance.** MS. LINDA HAMMONDS noted  
8 that this ordinance was given out in the past. MR. GERALD GOOLSBY  
9 reported that when an ordinance has been voted on, it is to be  
10 posted, noting that this had been discussed in a prior meeting, for  
11 30 days before any more action can be done on the ordinance. The  
12 Chief has a right to veto it during those 30 days, but still needs  
13 to be posted for 30 days, then to be brought back to the Council to  
14 decide what to do with it.

15 MS. LINDA HAMMONDS: Mr. Speaker and Ms. Chavis, was  
16 the Budget Ordinance or the Conflict, well, just dealing with the  
17 Budget Ordinance, was it not posted when we sent it in?

18 MS. FRANCES CHAVIS: I just signed the other day.  
19 They're posted now.

20 MS. LINDA HAMMONDS: Well, has it been posted?

21 MS. FRANCES CHAVIS: Yeah, they're posted over there  
22 now.

23 MR JOEL GARTH LOCKLEAR: Mr. Chairman, may I bring  
24 that issue up, is there anyway we get our ordinances if we pass them  
25 if we can get them signed immediately so it will be official from us

1 and then post it. Because unless there has been a major change in  
2 our rules, every one we draw up is supposed to be signed by the  
3 Secretary, officially that this is what we said and put in the  
4 record. And if it's not signed, the ordinance is not worth the paper  
5 it's written on, you hang on the wall if you want you; unless there  
6 is a change in the rule that I don't know about. My concern is, they  
7 are laying around here for 30 days and 60 days and never signed by a  
8 Secretary, and that's her job, that's her function. Am I wrong on  
9 that?

10 MR. DAVID CARTER: You're right, sir.

11 MR. JOEL GARTH LOCKLEAR: Why don't we get our laws  
12 made and post them on the board and do our business. It's  
13 embarrassing for everybody. We should follow our laws and rules.

14 MS. LINDA HAMMONDS: Mr. Speaker, at the last  
15 Constitution and Ordinance committee, we passed a motion that we  
16 would formalize the role on who's going to do what in getting those  
17 posted. So, that would come up under committee reports.

18 MR. DAVID CARTER: Okay.

19 MR. KENT HUNT: The ordinance we're referring to is  
20 that the Budget Approval and Monitoring Process, is that the one, Ms.  
21 Hammonds?

22 MS. LINDA HAMMONDS: Yes. Honestly, I thought we were  
23 all told that that had been posted. So now, we're learning that it  
24 has not been posted?

1 MS. PEARLEAN REVELS: She said it has just been  
2 posted.

3 MR. DAVID CARTER: Okay, so that's been posted.

4 MS. PEARLEAN REVELS: Mr. Speaker, on the Annual  
5 Budget Hearing, there has been some concern under Section II, under  
6 Procedures. It should be changed to the Chairman, Staff and cannot  
7 invite Tribal members, is my understanding is the change that needs  
8 to be made to it, are open only to Chairman, Staff, cannot invite  
9 Tribal members. This is the information that I have received.

10 MS. LINDA HAMMONDS: Mr. Speaker, it's already been  
11 posted now and we will not be able to review it until it is brought  
12 back to us.

13 MR. GERALD GOOLSBY: It's my opinion once this Council  
14 votes and it is approved by this Council, then it's done. It is to  
15 be posted regardless of who disagrees or agrees with it, this Council  
16 votes for it, it's to be posted for the 30 days. If the Chair or the  
17 Chief vetoes it that's his right and he can veto with prejudice or  
18 unprejudiced for us to come back to review or override the veto. So,  
19 I think we need to stick with procedures and not try to reinvent the  
20 wheel. I mean, if we vote on it, it's done. Let's move onto  
21 something else and then after 30 days, deal with it after that.

22 MS. LINDA HAMMONDS: Mr. Speaker, for the record, I'd  
23 like to know why it was not posted?

24 MR. DAVID CARTER: Madam Secretary?

1 MS. FRANCES CHAVIS: I was called to come out here one  
2 day to sign all the ordinances and I was told not to sign them. So,  
3 I didn't sign them.

4 MR. JERL LOCKLEAR: Who told you not to sign them?

5 MS. FRANCES CHAVIS: I don't like to call names, I'm  
6 not going to do that. I will not do it.

7 MS. LINDA HAMMONDS: Mr. Speaker, once again, I'll  
8 reiterate what Mr. Goolsby has said. You know, once we pass these  
9 ordinances, no one else has the right to come back and tell anyone  
10 not to post those, and I'm sure if that did happen that we will not  
11 have this problem in the future and I would ask Ms. Frances that that  
12 name or names should be provided to this Tribal Council.

13 MS. FRANCES CHAVIS: Another thing, I didn't know that  
14 you had to have the vote count, so now I know what you have to do. I  
15 didn't know that you have to have a vote count on each ordinance when  
16 I sign it, so I had to go back and get the vote count. I was never  
17 told that I had to have each vote count on the ordinance.

18 MR. KENT HUNT: Mr. Speaker, before we leave that  
19 subject, maybe it's a good idea when we know that we are going to  
20 discuss an ordinance at a particular meeting, maybe we can discuss  
21 the ordinance early in the meeting and if we approve the ordinance  
22 before it's posted then by the end of the meeting on  
23  
24 that particular night, if accept it as is, then we can make sure that  
25 it is definitely signed that night.

1 MR. DAVID CARTER: Ms. Hammonds has a procedure set  
2 for us that will guarantee that we can have that done in her  
3 committee report to us. Next item is Review of Conflict Ordinance.  
4 It was posted previously last month, I believe. The 30 days are up.

5 MS. PEARLEAN REVELS: When was that one posted?

6 MR. JIMMY GOINS: 26<sup>th</sup> of April.

7 MR. GERALD GOOLSBY: Was this ordinance vetoed?

8 MR. JIMMY GOINS Yeah.

9 MS. PEARLEAN REVELS: For discussion on this ordinance  
10 I have some information, if you'll turn to page 2, "F". It says,  
11 "constitutional question", something about the authority, it says,  
12 "it's in question from the constitution". It reads that, "No member  
13 of the judiciary show be qualified to act as such in any case where  
14 she/he has any direct interest over any party involved in the case is  
15 a relative by marriage or blood in the first or second degree".

16 MR. JIMMY GOINS: On the next page, refer back to  
17 conditions of government. So the constitutional question is this, if  
18 you have 3 equal branches the judicial being the first of unequals,  
19 do you have the authority to tell them how to operate day to day.  
20 They already have this according to the Chief Justice, they already  
21 have this in place, they've already done it themselves. Now, it  
22 might be best, and I've been thinking today that it might be best on  
23 this particular question to override my veto and let the Supreme  
24 Court decide this. We certainly want to respect the different  
25 branches of the government and their powers.

1 MS. LINDA HAMMONDS: Mr. Speaker, once again as a  
2 legislative body, it is our responsibility to put in place the laws  
3 and the policies. Now, previously we had asked the prior judiciary  
4 branch to write their ordinance, bring it to the committee for our  
5 approval. No matter what they write, this legislative branch will  
6 have to approve that particular ordinance. That is just a given.  
7 They do not write laws and then turn right around and interpret and  
8 apply the law.

9 MR. JIMMY GOINS Excuse me, they're not writing a law,  
10 this is more of a policy, same as your policy.

11 MS. LINDA HAMMONDS: Ordinances are laws.

12 MR. JIMMY GOINS I'm in between here. I'm getting it  
13 from both sides here. Really, we don't have a dog in this fight, but  
14 I wish when you were writing this ordinance you would have conferred  
15 with the judicial branch and got them involved in it too.

16 MS. LINDA HAMMONDS: As a matter of fact, we did. We  
17 had a judiciary branch representative at that time, Ms. Tammy Maynor,  
18 who worked with us on this particular one. And if accept that, then  
19 we'll also be able to go back to what so many of you have argued  
20 previously and that is that you have a right to tell the Board of  
21 Elections what to do, when to do and so forth. If you accept that  
22 same thought then what we're saying is we really don't.

23 MR. GERALD GOOLSBY: My understanding is we are a  
24 legislative body. We write the laws. The judicial side interprets  
25 the law, they do not write laws. Congress of the United States they

1 approve the stuff and the Supreme Court doesn't sit there and write a  
2 law and send it back. So, when we write a law, it should govern all  
3 Tribal members, regardless of what it is, whether it's dealing with  
4 ethics or whatever it is. We're the legislative body. My opinion is  
5 go forth and leave it like it is and go on.

6 MR. LAWRENCE LOCKLEAR: Is there a veto on the floor?

7 MR. DAVID CARTER: There is a veto on the floor.

8 MR. LAWRENCE LOCKLEAR: I move that we override the  
9 veto.

10 MR. GERALD GOOLSBY: I second.

11 MR. DAVID CARTER: Any discussion?

12  
13 (Roll call vote was called for.)

14 MS. FRANCES CHAVIS - roll call vote.

15 Larece Hunt: Yes.

16 Rudolphus "Dock" Hunt: Yes.

17 Gerald Goolsby: Yes.

18 David Carter: Yes.

19 Pearlean Revels: Yes.

20 Sanford Locklear: Yes.

21 Kent Hunt: Yes.

22 Frances Chavis Yes.

23 Lawrence Locklear: Yes.

24 Joel Garth Locklear: Yes.

25 James Harold Locklear: Yes.

1 Lois Oxendine: Yes.  
2 Jerl Locklear: Yes.  
3 Linda Hammonds: Yes.  
4 Sherry Carter: Yes.  
5 Aggie Deese: Yes.  
6 Alton Locklear: Yes.  
7 Welford Clark Abstain.

8 MS. FRANCES CHAVIS: 17 yeas, 1 abstain. (Motion  
9 carried.)

10 MR. JIMMY GOINS: Mr. Speaker, as soon as I can the  
11 petition to carry this to the Supreme Court. I will.

12 Next item Approval of Committees and Appointments  
13 Ordinance.

14 MR. GERALD GOOLSBY: Mr. Speaker, as it stands now  
15 this is law?

16 MR. DAVID CARTER: Yes, it's voted in and has been  
17 posted.

18 MR. GERALD GOOLSBY: So that will be noted on there  
19 that it was vetoed, overrode and properly - whatever the proper  
20 procedure is done, and really doesn't go to Supreme Court unless  
21 someone has issues with it.

22 MR. JIMMY GOINS: No, I plan to file an injunction to  
23 the Supreme Court to stop it. I don't know if I can.

24 MR. DAVID CARTER: Move to next one, Approval of  
25 Committees and Appointments Ordinance.

1 MS. LINDA HAMMONDS: Mr. Speaker, at each one of the  
2 sites, you should have a copy of 2 ordinances that was placed at your  
3 position. We have the certification of eligibility for Tribal  
4 membership while enrollment is closed. We know that there have been  
5 some situations during the past when the Tribal rolls were closed  
6 where Tribal members were not allowed the services of the Tribal  
7 government due to the fact that they realized that they were not  
8 enrolled as Tribal members. So, in order that we can continue to  
9 serve the Tribal membership during any time when the Tribal rolls are  
10 closed, this is the ordinance that the committee worked on. I  
11 believe you have draft copy of this before and the meats of it reads,  
12 "Therefore, be it enacted by the Tribal Council, the Lumbee Tribe of  
13 North Carolina and this ordinance that shall be cited as  
14 certification of eligibility for Tribal membership while enrollment  
15 is closed that non-enrolled applicants for Lumbee housing and other  
16 assistance programs should be certified on their eligibility for  
17 Tribal membership through the office of the Tribal Clerk. And shall  
18 receive a certification of eligibility for Tribal membership  
19 providing all requirements for Tribal membership are met. Be it  
20 further enacted that while Tribal rolls are closed, any applicant  
21 applying for Tribal services, example housing, shall not be denied on  
22 the basis that he or she is not an enrolled Tribal member providing  
23 the applicant has been duly certified as eligible for Tribal  
24 membership through the office of the Tribal Clerk."

1 MR. JIMMY GOINS: I certainly support this 100%, but I  
2 want you to understand that we've already taken to the Executive  
3 Board to do this. I mean, it's in place now. But I would compare  
4 and we need to put it in an ordinance as a law.

5 MR. Al LOCKLEAR made a motion to approve the  
6 ordinance, seconded by MR. LARECE HUNT.

7 MR. LEON JACOBS: Mr. Chairman, I would like to remind  
8 the Council these individuals that you're planning to provide  
9 services to are not included in the HUD count for the funds that we  
10 received, so you are taking funds from an enrolled member and  
11 providing it to a non-enrolled member. So, I would suggest that we  
12 cover this with HUD before you make this into a law.

13  
14 MS. LINDA HAMMONDS: Mr. Speaker, granted I can be  
15 wrong but I always thought that the NAHASDA funding was based on a  
16 geographical area in the prior census, in which they looked at those  
17 individuals who acknowledged that they were of our Tribe and so forth  
18 and our funding was based on that. Now, I didn't realize that this  
19 was based on Tribal enrollment. If it is, then I would suggest why  
20 are we trying to go back and decrease our Tribal enrollment. Why  
21 aren't we allowing it to grow, grow, grow. I mean, if we are going  
22 to get more funding based on Tribal enrollment, they by golly we  
23 should be out there beating the bushes to bring the people in.

24 MS. PEARLEAN REVELS: Now, Ms. Linda, that's my  
25 understanding. I thought it was based on the last census that was

1 taken in the county. If I've misunderstood it, Mr. Leon, can you  
2 clarify?

3 MR. LEON JACOBS: Yeah, it's a combination of both the  
4 census that were used initially but then they go back and get very  
5 specific on Tribal membership. So, I will be happy to get a written  
6 opinion from HUD.

7 MR. LARECE HUNT: Then, Mr. Speaker, I withdraw my  
8 second and asked that this be placed on the table until we -

9 MR. JERL LOCKLEAR: Mr. Speaker, I hope this doesn't  
10 open a can of worms because I got a lot of people in my area in this  
11 same situation who wants help.

12  
13 MR. LAWRENCE LOCKLEAR: What this is for is for folks  
14 that need those services, but aren't enrolled. So, this is what  
15 that's for. Yeah, they get a certificate of eligibility for Tribal  
16 membership which makes them eligible for services.

17 MR. JOEL GARTH LOCKLEAR: Mr. Speaker, in 30 days we  
18 should have an answer how we handle this without creating a problem.

19 MR. DAVID CARTER: He is withdrawing his motion.

20 MR. LARECE HUNT: On the condition that that motion be  
21 tabled until we can get a ruling.

22 MR. JIMMY GOINS: How this came up is that we had a  
23 family who tried to enroll, had filled the paperwork out, had been  
24 approved, but couldn't get the card because the rolls were closed.  
25 In the meantime, their home burned down. And this is how this came

1 up. They were approved, but couldn't get the card because Tribal  
2 enrollment was closed. These are the people that I'm talking about.  
3 They qualify, but through no fault of their own, the rolls were  
4 closed, they can't get a card. And the certificate that Linda  
5 talking about is what we're talking about.

6 MS. LINDA HAMMONDS: Mr. Speaker, further comment, I'm  
7 sure that all of you agree that there is no one who is more of a  
8 stickler about the rules and regulations than I am, however, if this  
9 funding is based on the census, you have to understand that in the  
10 year 2000, only about 52% of our Lumbees, the people in these 4  
11 county areas actually completed a census. So, if you're going to say  
12 well I'm not going to give services to these because they don't have  
13 a Tribal enrollment, then maybe we need to find a way in the next  
14 census to start documenting who actually sent in that census.

15 MS. LOIS OXENDINE: Have we serviced anybody with a  
16 certificate without the card?

17 MR. JIMMY GOINS: I don't think they've done it in  
18 housing, I think some of them might have gotten service for a light  
19 bill, as far as housing, I can't say because I don't know. I don't  
20 think so.

21 MR. AL LOCKLEAR: 184 is not a requirement that you  
22 are a Tribal member; is that correct, it's just that you have to be  
23 American Indian?

24 MR. LEON JACOBS: 184 has a requirement that you be an  
25 enrolled Tribal member.

1 MR. AL LOCKLEAR: In this Tribe or like if you go to  
2 Charlotte and that's territory, do you have to be enrolled in the  
3 Tribe to receive services in Charlotte from their territory?

4 MR. LEON JACOBS: You have to be enrolled with a tribe  
5 that is eligible for 184. It could be Catawba in Charlotte or it  
6 could be Lumbee.

7 MR. DAVID CARTER: One of the sessions that we were in  
8 Connecticut, going back to what Ms. Hammonds was addressing about our  
9 census was that we have also the opportunity to challenge the 2000  
10 census.

11 MR. GERALD GOOLSBY: Could we, as a matter of not  
12 cutting anybody out because I had a call today from a fellow that  
13 fell in the same category, could we not approve that they be eligible  
14 for housing and other things but in preference to enrolled members.  
15 In other words, untying administrations hands to were somebody had  
16 their house burned out, they didn't have anywhere to go and just  
17 because they don't have a card don't mean we should kick them to  
18 curb. We should be able to try to help them. Could we not approve  
19 this and move forward, and also part 2 of this, isn't it the  
20 understanding that I've got if there's funds, -- in other words this  
21 money is not locked in just for that because of the housing situation  
22 in Fayetteville. Did you not say that non-Indians was living in the  
23 houses and it was okay? Am I looking at 2 different things here?

24 MR. LEON JACOBS: Yeah, in the 37 housing stock, the  
25 old units that is open occupancy but as far as the NAHASDA funds are  
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1 concerned, it's Indian specific, enrolled Lumbee Indians. We can't  
2 serve Haliwa, we can't serve any of the other tribes, we can't serve  
3 Cherokee.

4 MS. LOIS OXENDINE: Could we not wait the 30 days,  
5 check with HUD to make sure we're not violating anything, and in the  
6 meantime, keep the executive order in place that we already have in  
7 place?

8 MR. WELFORD CLARK: Mr. Speaker, may I? When we had  
9 that conference in Connecticut, Ms. Patsy, I don't recall her last  
10 name, in the workshop we attended she specifically addressed what  
11 we're discussing. And I made a note of what she said. She talked  
12 about the definition of a family and a family could be a single  
13 person, and the next thing she said that the Tribes are the TDHE  
14 definer on service area and could should they desire restrict  
15 participation in the housing program to Tribal members. She went on  
16 to say that they did not necessarily have to be Tribal members to  
17 receive services. So, I'm kind of perplexed here is that the Tribal  
18 Chairman would sign an executive order to render services to people  
19 who are ineligible and deny the Council the right to pass an  
20 ordinance to provide services for the same people. So, my question  
21 is this, has the Tribal Chairman broken the law by writing an  
22 executive order to help folks that not entitled to it.

23 MR. JIMMY GOINS No, no, no. My executive order covers  
24 people who have applications out there and have been approved. The

1 only thing they don't have is a card. So, to me, they are members of  
2 the Tribe.

3 MR. WELFORD CLARK: Let me continue this. Isn't that  
4 specifically what the ordinance address? That people who have met  
5 all the qualifications and simply because the rolls are closed just  
6 hadn't sat down and had their picture taken. Isn't that what the  
7 ordinance is doing. The ordinance is doing exactly what Mr. Goins is  
8 already saying, so apparently and I go back to my question then, if  
9 the law was fine and HUD was fine by allowing the executive order,  
10 then the same principle should apply to the ordinance. All we're  
11 doing is codifying what he has done by executive order.

12 MS. AGGIE DEESE: I'd like to second that motion.  
13 Somebody withdrew it but I will second it.

14 MR. JIMMY GOINS: If I have made a mistake with the  
15 executive order, we can do away with. If you write a, -- do an  
16 ordinance and make a mistake, you've got a problem about doing away  
17 with it. So, I think that's Mr. Larece was getting about the 30  
18 days, we are all going to get to the end the same way. If the  
19 executive order stands, come back next meeting do an ordinance, no  
20 problem.

21 MR. GERALD GOOLSBY: Was anybody helped by that  
22 executive order? Did anybody's house get worked on by that?

23 MR. JIMMY GOINS Not yet, we're working on it.

24 MR. GERALD GOOLSBY: Nobody's been approved, nothing  
25 has happened.

1 MR. LEON JACOBS: Nobody has received services yet.

2 MR. GERALD GOOLSBY: Is anybody expecting services as a  
3 result of that, did they have their hopes built up for that?

4 MR. WELFORD CLARK: Mr. Speaker, the ordinance will  
5 have to be posted for 30 days, so the Chairman has 30 days to  
6 research, and then he can veto it if it's not right. But, at  
7  
8 least we'll be done with it. We can put this piece of paper away and  
9 go on to something else.

10 MR. LAWRENCE LOCKLEAR: Call for the question.

11 MS. FRANCES CHAVIS - roll call vote.

12 Larece Hunt: Yes.

13 Rudolphus "Dock" Hunt: Yes.

14 Gerald Goolsby: Yes.

15 David Carter: Yes.

16 Pearlean Revels: Yes.

17 Sanford Locklear: Yes.

18 Kent Hunt: Yes.

19 Frances Chavis Yes.

20 Lawrence Locklear: Yes.

21 Joel Garth Locklear: Yes.

22 James Harold Locklear: Yes.

23 Lois Oxendine: Yes.

24 Jerl Locklear: Yes.

25 Linda Hammonds: Yes.

1 Sherry Carter: Yes.

2 Aggie Deese: Yes.

3 Alton Locklear: Yes.

4 Welford Clark Yes.

5 (Motion carried.)

6 MR. JIMMY GOINS: What we done is that we got an  
7 executive order in place where we want to continue helping people  
8 until this become a law, is this what we're agreeing to? When the 30  
9 days is over. I definitely agree with that. Is that what we agreed  
10 on?

11 MR. GERALD GOOLSBY: I think that if people needs help  
12 they should be helped. But in the same token, if it's wrong 30 days  
13 from now, it's wrong now. But we just voted to do that and place it  
14 for 30 days and during that time, it's my understanding during that  
15 30 days we are going to find out the legalities of it with HUD.

16 MR. KENT HUNT: Mr. Speaker, who will be doing the  
17 research on this? Is this research for the executive side to do or  
18 will this be handled through committee?

19 MR. GERALD GOOLSBY: Administration.

20 Appointment Ordinance is next on the agenda.

21 MS. LINDA HAMMONDS: Attached to that same document is  
22 the General Ordinance Governing the Duties of Committees,  
23 Appointments and Tribal Government Affiliating Positions. This is  
24 the same ordinance that was passed previously the Tribal Council. We  
25 went back and made some modifications to it to fit this seated

1 Council. You've had copies of this. They are no major changes to  
2 it. (Ms. Linda Hammonds read through the ordinance. Mr. Kent Hunt  
3 asked to define "moral turpitude". Mr. Gerald Goolsby pointed out  
4 that the definition is on the back page of the ordinance. Mr. Al  
5 Locklear asked about the issue with the NC Housing Authority. Ms.  
6 Linda Hammonds indicated this issue can be clarified in Section III,  
7 which she read and clarified. Mr. Larece Hunt wanted to go back to  
8 Section I, talking about closed session. He asked about economic  
9 development activities and land purchases that may not want to be  
10 disclosed at that time. He asked if that would fit into Section I.  
11 Ms. Linda Hammonds explained that laws cannot be made that will  
12 protect a single individual, stating that what is being done is  
13 dealing with the fundamental rights of the members of the Tribe,  
14 which allows closed sessions to discuss those things, but again, Ms.  
15 Hammonds reiterated that you have to be very careful in terms of how  
16 it is handled ensuring that when you come out of closed session that  
17 you express the action has taken placed. Ms. Hammonds further  
18 explained the fundamental rights of a member, and that you're looking  
19 at the fundamental rights of the Tribe and the membership within the  
20 Tribe.)

21 MR. GERALD GOOLSBY moved to accept it as it, seconded  
22 by MR. LAWRENCE LOCKLEAR. (Roll call vote)

23 MS. FRANCES CHAVIS - roll call vote.

24 Larece Hunt: Yes.

25 Rudolphus "Dock" Hunt: Yes.

1 Gerald Goolsby: Yes.  
2 David Carter: Yes.  
3 Pearlean Revels: Yes.  
4 Sanford Locklear: Yes.  
5 Kent Hunt: Yes.  
6 Frances Chavis Yes.  
7 Lawrence Locklear: Yes.  
8 Joel Garth Locklear: Yes.  
9 James Harold Locklear: Yes.  
10 Lois Oxendine: Yes.  
11 Jerl Locklear: Yes.  
12 Linda Hammonds: Yes.  
13 Sherry Carter: No.  
14 Aggie Deese: Yes.  
15 Alton Locklear: Yes.  
16 Welford Clark Yes.

17 MS. FRANCES CHAVIS: 17 yeas, 1 against. (Motion  
18 carried.)

19 **New Business - Resolutions.**

20 **Election Board**

21 MR. GERALD GOOLSBY asked a question regarding the  
22 \$12,000 budgeted for the election budget, asking how many money was  
23 actually spent during the past election. MR. LEON JACOBS reported  
24 that all the expenses had been turned in. MS. LINDA HAMMONDS asked  
25 for clarification on where do we get the money from. MR. LEON JACOBS

1 reported from the CSGB. Ms. Hammonds asked who is responsible for  
2 the CSBG fund? MR. LEON JACOBS reported that Ruth Locklear, office  
3 of the clerk. Ms. Hammonds asked if they allowed for this line item  
4 when the budget was created and approved? MR. LEON JACOBS reported  
5 that yes, but there was some concern with conducting 2 elections in  
6 one year whether or not they will look favorably on a lot of expense,  
7 so the expense of the past election was tried to be kept down  
8 considerably. Mr. Jacobs reported that he did not think that all the  
9 \$12,000 will be utilized. Ms. Ruth Locklear reported that all the  
10 monies will be not be utilized. She added that that \$18,000 for the  
11 November election, taking the cost of that election and the cost of  
12 this election, probably will not rise to the \$18,000. Mr. Jacobs  
13 reported that there shouldn't be a problem with the funding agency.  
14 Mr. R.D. Locklear noted that he wanted a \$6000 election and he  
15 doesn't have any reason to think that that amount was exceeded.

16 MR. KENT HUNT: We if allow, and I guess we'd have to  
17 go back and research the budget, if we allow enough monies in that  
18 past election and there was enough money to cover that election plus  
19 this election, I don't see a reason for anymore discussion on this  
20 election board resolution. I make a motion that it lie on the table.  
21 You understand what I'm saying. If we budgeted enough money for the  
22 past year and that money is covering this special election budget,  
23 then I don't see why we should accept this resolution.

1 MS. PEARLEAN REVELS: Mr. Kent, that was my  
2 understanding, there was enough money budgeted to carry the November  
3 election and this election.  
4

5 MR. LEON JACOBS: Now, the money that was  
6 appropriated, the \$18,000, was for the November election. We didn't  
7 know at that time that there would be a second election, so that  
8 money was very specific so there is enough left, as Ruth said, to  
9 cover this. So, we still need your authorization to spend this money  
10 to cover this election. We'll only spend whatever is utilized at  
11 this point because it's after the fact.

12 MS. LINDA HAMMONDS: With the CBSG grant, are we going  
13 to apply for that again between now and the next November election?  
14 That will be a new year funding?

15 MR. LEON JACOBS: Yes, and we requested in the new  
16 application funds to cover the November 2005 election.

17 MS. PEARLEAN REVELS: Okay, with that understanding, I  
18 make a motion that we adopt the resolution.

19 MR. JERL LOCKLEAR: I second.

20 MR. KENT HUNT: I'll withdraw my motion and entertain  
21 the motion to accept this resolution given the fact that we get the  
22 exact amount that needs to be spent for this particular resolution  
23 because it's not \$12,000. I withdraw my first motion and we get a  
24 resolution with the exact amount that needs to be spent to cover this  
25 special election. I mean, we don't need the whole \$12,000.

1 MR. SANFORD LOCKLEAR: I second that motion.

2 MR. DAVID CARTER: We'll vote on the amended motion  
3 that he has given us that we get the exact amount of the cost of the  
4 elections. Motion made and seconded. All in favor of that motion.  
5 (Aye responses.) All opposed? (None.) Ms. Revels motion fails.

6 **Communications Tower.** (Mr. Al Locklear reported on  
7 this resolution, noting that discussion about putting some  
8 communication towers on some of the Tribal land that we own, the  
9 Economic Development Committee approved to look into it further,  
10 approval to pursue the communication tower. He also noted that the  
11 Mr. James Hardin's organization has helped economic development out a  
12 lot in looking at these ventures. Mr. Dock Hunt asked if there was a  
13 "pursue" cost involved, and Mr. Al Locklear reported not at the  
14 present time. Mr. Al Locklear reiterated that there was no cost  
15 whatsoever involved in the study. Mr. Gerald Goolsby offered a  
16 motion to accept, seconded by Mr. Dock Hunt.)

17 MR. DAVID CARTER: All in favor of that motion? (Aye  
18 responses.) All opposed? (None.) Motion carries.

19 **Cattle Ranch Farm.** (Mr. Al Locklear reported that a  
20 cattle farm ranch was looked into this by the economic development,  
21 noting that there was an opportunity to get a loan from the USDA,  
22 noting that we were not going to be seeking a loan, just looking into  
23 it, to get into some farming activities. Mr. Al Locklear noted this  
24 is a rural area with a lot of farmers with land and getting into the  
25 cattle ranch business and make a profit on it, again, reiterating

1 that we were just looking at it, not getting into this. So, it was  
2 passed in economic development to take a further look, noting that  
3 there is no cost in looking into this venture. Ms. Pearlean Revels  
4 made a motion to accept the resolution, seconded by Mr. Gerald  
5 Goolsby.)

6 MR. DAVID CARTER: All in favor of that motion. (Aye  
7 responses.) All opposed? (Opposed votes noted.) Motion carries.

8 **Housing Plan Budget.** (Mr. Leon Jacobs reported that  
9 everyone had a draft copy of the Indian Housing Plan, which is due  
10 into HUD prior to July 1<sup>st</sup>.) (Please refer to your copy of the Indian  
11 Housing Plan). (Ms. Linda Hammonds expressed a concern regarding the  
12 Veteran's Service Office that we would be applying for grants and so  
13 forth, that no monies would be coming out of housing. Ms. Hammonds  
14 noted concern about duplication of services that the county is also  
15 providing. She voiced concern about creating various committees,  
16 branches under the disguise that grants will be applied for, finding  
17 that those areas are being included in housing, including a special  
18 line item for Elder Services, again, noting that it adds an extra  
19 line item for the opportunity to play with. She questioned the  
20 duplication that we're doing that is already being provided to us by  
21 our county. Mr. James Harold Locklear expressed his opinion noting  
22 that the veterans are now being taken care of by the Veterans Service  
23 Office. Mr. Gerald Goolsby asked if there were grants that the  
24 Veterans Service Office has applied for. Mr. Leon Jacobs reported  
25 that grants have not been applied for because there is not a grants

1 manager, noting that grants are being looked into from the Veterans'  
2 Administration and from other funding agencies to supplement the  
3 services provided by the Veterans Service Office. Mr. Leon Jacobs  
4 noted that there is one paid office support person for the Veterans  
5 Service Office, the volunteers who come in 3 and 4 days a week  
6 because of the traffic that is now generated in that office. Mr.  
7 Leon Jacobs noted a need for medical assistance for the veterans. He  
8 noted that \$75,000 for that service to our veterans is a small amount  
9 to compensate for the services they provided for our freedom. Mr. Al  
10 Locklear asked if it was possible to contract with the county to have  
11 pay for the veteran's office, since we are servicing the American  
12 Indian population. Mr. Leon Jacobs reported that the Charlie Smith,  
13 the state director, was here for the grand opening and that we are  
14 working with his office to identify any funds that might become  
15 available at the state and federal level. Mr. Jacobs noted that a  
16 large volume of Tribal elders come into the Tribal office, many of  
17 who don't know and have not been able to access services that are  
18 available through the county or other means. Noting that a  
19 resolution was passed a year ago to create an elder's committee in  
20 each district, consisting of 5 people and not one have been completed  
21 to date, except District 13. Mr. Jacobs noted there is a need out  
22 there for our Tribal elders, a great need to get those elders in to  
23 mingle and mix from a cultural standpoint with our youth and hoping  
24 through this service that we can get those two together on a more  
25 frequent basis so that the knowledge that the elders have will be

1 passed onto the youth in a cultural setting. Ms. Linda Hammonds  
2 asked if there was a resolution on the Elders Service. Mr. Leon  
3 Jacobs reported that it was all included in this one resolution. Mr.  
4 Gerald Goolsby asked if the Council was approving a budget tonight.  
5 Mr. Leon Jacobs reported that the Council would be approving a  
6 chapter that would be included in the budget. Ms. Linda Hammonds  
7 explained that the numbers can be changed. Mr. Leon Jacobs reported  
8 that this budget will be sent to HUD. HUD, if they approve the  
9 budget as submitted and we want to adjust the budget, then we have to  
10 submit a request back to HUD asking them to change the budget. And  
11 that is a Council right, the Council can make that decision that you  
12 want a change. Mr. Jacobs noted there will be carry over in some  
13 line items from this year, noting that we can add those line items  
14 into these categories if you want you. MR. JAMES HAROLD LOCKLEAR  
15 made a motion to accept the resolution, seconded by MS. FRANCES  
16 CHAVIS.)

17 MS. AGGIE DEESE: Call for the question.

18 MR. WELFORD CLARK: Mr. Speaker, I want to repeat what  
19 I said last week, are we having a meeting or open discussion?  
20 Because some folks just talk and talk and talk and talk. It's my  
21 understanding that on a any motion a member may speak 2 times and you  
22 may not speak the 2<sup>nd</sup> time until every other member has had an  
23 opportunity to speak. One member, sitting to my left has spoken 5  
24 times and every time I start to open my mouth, he begins to speak.  
25 My point is this, should we not wait to be recognized before we

1 speak? I have another question, if I may. When a change is  
2 requested to HUD in the budget, I'd like to know if that's a common  
3 occurrence and are they pretty well flexible in working with you,  
4 it's not a tooth pulling incident, is it?

5 MR. LEON JACOBS: No, there's a tremendous amount of  
6 flexibility in NAHASDA and HUD usually goes with the TDHE or the  
7 Tribe and in this case it would be the Tribe making such a request.

8 MR. WELFORD CLARK: I have heard concerning the  
9 community centers that there has been \$2 million dollars set aside  
10 for community buildings, it was in some budget, \$500,000 had been  
11 done. And I'm looking here and I see \$200,000 and I hear that's  
12 there's another 1.5 million that may come and you mentioned that that  
13 would be going to rehab. My question to you is this, are we dropping  
14 the ball on the other 10 districts by not setting aside money in this  
15 budget for those others, could you clarify that for me?

16 MR. LEON JACOBS: In the current budget and in the  
17 Indian Housing Plan for 2004, we put in there almost ½ million  
18 dollars for community centers to leverage Title VI which is 5 times  
19 the amount. This is a loan process. I'm concerned at this point  
20 about leveraging that money and going into debt at that level because  
21 of what we heard at the National American Indian Housing Council,  
22 that our appropriation for 2006 could be decreased as much as 4  
23 million dollars, back to 10 million. And if we have that debt  
24 hanging over us then we have to pay that mortgage each year to  
25 satisfy that debt until it is repaid. So, that's one of the things

1 in going through the budget process that we want to start, that I  
2 plan to discuss with you, let you reconsider. We also applying and  
3 submitting an application to USDA for supplement funding for the  
4 community center, so we're not forgetting the other 10 districts. We  
5 that we will be able to accommodate every district within a short  
6 timeframe so that you do have a decent safe community centers where  
7 Tribal membership can me and so forth.

8 MR. JERL LOCKLEAR asked about the Elder Services and  
9 whether if was discussed at the retreat. MR. LEON JACOBS reported  
10 that he was not sure if it was specifically discussed. He indicated  
11 that one of the groups discussed Elder Services and talked about  
12 focusing more on other than just housing rehabilitation services for  
13 the for the Tribal elders because of the unmet needs. MS. PEARLEAN  
14 REVELS asked if the proposal was for the 2005-2006 budget and Mr.  
15 Jacobs responded that it was, noting that it will not be implemented  
16 until October. Ms. Revels questioned whether an Elder Service could  
17 be started between the present time and October, noting there were no  
18 funds appropriated for that, which Mr. Jacobs confirmed that that was  
19 the case. Mr. Dock Hunt noted his opinion that this proposal needs  
20 to be accepted. Ms Aggie Deese called for question, noting there was  
21 a motion and second on the floor.

22 MR. DAVID CARTER: All in favor of the motion to accept  
23 the resolution. (Aye responses.) Any opposed? (None.) Motion  
24 carries.

25 **Ronnie Sutton Day was discussed.**

1 MS. LINDA HAMMONDS noted that this resolution is for  
2 an individual and it should go to committee. (Much discussion about  
3 resolutions supporting individuals with no guidelines in place to  
4 write the resolutions.) MR. GERALD GOOLSBY made the motion to send  
5 the resolution back to committee, MR. LARECE HUNT seconded.

6 MR. DAVID CARTER: Motion made and seconded to send  
7 it back to committee. (Roll call vote.)

8 MS. FRANCES CHAVIS - roll call vote.

9	Larece Hunt:	Yes.
10	Rudolphus "Dock" Hunt:	Yes.
11	Gerald Goolsby:	Yes.
12	David Carter:	Yes.
13	Pearlean Revels:	Yes.
14	Sanford Locklear:	No.
15	Kent Hunt:	Yes.
16	Henry C. Chavis:	Yes.
17	Frances Chavis	No.
18	Lawrence Locklear:	Yes.
19	Joel Garth Locklear:	No.
20	James Harold Locklear:	No.
21	Lois Oxendine:	No.
22	Jerl Locklear:	Yes.
23	Linda Hammonds:	Yes.
24	Sherry Carter:	Abstain.
25	Aggie Deese:	No.

1 Alton Locklear: No.

2 Welford Clark No.

3 MS. FRANCES CHAVIS: 10 ayes, 8 no. 1 abstain.

4 (Motion carried.)

5 - Break at 8:15 p.m-

6 MR. DAVID CARTER called the meeting back to order at  
7 8:45 p.m.

8 MR. R.D. LOCKLEAR gave the Tribal Election Report.  
9 (Please refer to your copy.)

10 Mr. Mike Clark presented preliminary design for the  
11 Tribal Government's administrative complex.

12 **Housing Issues**

13 MR. DAVID CARTER reported on problems with housing,  
14 noting a particular pressing issue concerning the elderly people who  
15 come in and apply for emergency assistance in which the need exceeds  
16 the allotted amount. Noting that guidance and/or policies are needed  
17 to provide the additional funds needed for emergency assistance when  
18 the need exceeds the allotted amount. MR. JAMES HAROLD LOCKLEAR  
19 noted that he did not want the contractors absorb the extra money.  
20 MR. GERALD GOOLSBY suggested that since rehab was 25, the emergency  
21 assistance could follow the same guidelines. MR. KENT HUNT suggested  
22 to form a committee to handle certain areas of emergencies,  
23 individual situations, noting that if emergency money is increased  
24 it's possible that the money will be open to everything. MR. JERL  
25 LOCKLEAR made a motion to increase the emergency assistance by 12.5.

1 Mr. Bosco Locklear suggested to give Mr. Jacobs the authority to go  
2 up 12 or 13 in situations when 10 is not enough. The motion was  
3 seconded by MS. AGGIE DEESE.

4 MR. KENT HUNT: Increase it by 25%.

5 MR. DAVID CARTER: All in favor of the motion, aye.  
6 (Aye responses.) Any opposed? (One opposed.) Motion carries.

7 MR. WELFORD CLARK: Mr. Speaker, now do I understand  
8 that if the extra 25 is not a sufficient amount, then the council  
9 representative notified and it is brought back for approval.

10 MR. DAVID CARTER: That's right.

11 MS. PEARLEAN REVELS: Mr. Speaker, did that take care  
12 of the problem that you had with your particular situation?

13 MR. DAVID CARTER: Yes.

14  
15 MR. BOSCO LOCKLEAR: Mr. Speaker, excuse me, but I  
16 don't think that took care of yours.

17 MR. DAVID CARTER: That's right on Ms. Otha Swett.

18 MR. BOSCO LOCKLEAR: You're probably talking about  
19 maybe \$1,500.

20 MS. PEARLEAN REVELS: Over the 2,500.

21 MR. BOSCO LOCKLEAR: Yes.

22 MS. PEARLEAN REVELS: Well, since it's our district I  
23 would ask to please consider that because she has holes in her  
24 bathtub and she's a bad situation trying to get into bathroom and  
25 she's 85 years old.

1 MR. LARECE HUNT: Mr. Speaker, I make the motion that  
2 we approve the money.

3 MR. SANFORD LOCKLEAR: Second.

4 MR. DAVID CARTER: All in favor of the motion, aye.  
5 (Aye responses.) Any opposed? (None opposed.) Motion carries.

6 **Election of Officers/Committee Appointments.**

7 Postponed until the next Council meeting. MR. LAWRENCE LOCKLEAR  
8 asked for a list of committees in their packet. Also, will swear in  
9 the new Council members at the next meeting.

10 MR. JIMMY MCNEIL: I've been called to represent my  
11 people and right now we are without representation and I want to be  
12 sworn in.

13  
14  
15 MR. LEON JACOBS: After next Wednesday the 5 days will  
16 be up and then the Election Board has to convene a meeting and  
17 certify the votes.

18 MS. PEARLEAN REVELS: Why don't we go ahead and check  
19 with him when the meeting will be set up to do that and maybe the  
20 very next week we'll set a special called meeting to have them sworn  
21 in.

22 MR. KENT HUNT: Going back to the emergency situation,  
23 I was told that my person in my district was in need of more than the  
24 25%. In fact, I think it's another \$2,000.

1 MS. PEARLEAN REVELS: I make a motion that we go ahead  
2 and approve that for Mr. Hunt.

3 MR. LARECE HUNT: I second.

4 MR. DAVID CARTER: All in favor of the motion, aye.  
5 (Aye responses.) Any opposed? (None opposed.) Motion carries.

6 **Committee Reports**

7 **Constitution**

8 MS. LINDA HAMMONDS presented the report on the  
9 Constitution noting that they made a motion in regards to the posting  
10 of the ordinance, that one, the Secretary be responsible for posting  
11 the ordinances within 5 working days after the Council has approved.  
12 The second part was that at the end of the 30 days, at the first  
13 Council meeting, the Secretary will bring back to the Tribal Council  
14 the ordinance either signed by the  
15  
16 Chairman or bring it back to us for the veto or whatever action we  
17 wanted to present. That's a motion.

18 MR. GERALD GOOLSBY: Second.

19 MR. DAVID CARTER: All in favor of the motion, aye.  
20 (Aye responses.) Any opposed? (None opposed.) Motion carries.

21 No report from the Ms. Sherry's committee.

22 **Finance Committee**

23 MR. KENT HUNT: We briefly went over the housing plan  
24 and we did not have a quorum and that's one of the reasons we  
25 definitely wanted to bring it before the Council for approval for

1 next year's budget. And we also spoke briefly on the Arrow Point  
2 development, how to develop that area and what the Town of Pembroke  
3 was willing to do to help in developing that particular area. I  
4 suggest to Mr. Leon that we refer it back to the Council for  
5 discussion. Mr. Leon did you want to discuss that tonight.

6 MR. LEON JACOBS: I think I'd rather wait until the  
7 July meeting if you don't mind.

8 MR. KENT HUNT: And I had asked Mr. Leon to invite a  
9 representative from the Town of Pembroke to express their wants in  
10 that particular development. Adjacent to Arrow Point as you know,  
11 the Town is planning to build a park beside that development, so I  
12 asked him to have a representative from the Town to come in and speak  
13 on their behalf. You have before you the 8-month budget report for  
14 CSBG, the Housing Income and the LIHEAP. Does anyone have any  
15 question on any line item? If you want to look it over and bring  
16 your concerns back to the next Finance Committee meeting that would  
17 be fine. The meeting is scheduled for the July 12<sup>th</sup> at 6:30.

18 MR. LAWRENCE LOCKLEAR presented his letter to Chairman  
19 Goins. (He read the letter. Please refer to your copy.)

20 MS. SHERRY CARTER reported that she did not want or  
21 need a copy. MR. KENT HUNT noted that the request was from Mr.  
22 Lawrence Locklear, and not the whole Council. MR. LEON JACOBS  
23 reported that the list would not be ready by the requested date  
24 because of prior obligations and being out of the office. Mr. Jacobs  
25 noted that he will delegate as much as he can, but there would be no

1 way he can have the report by the requested date. Mr. Jacobs  
2 reported he could have it the following week, perhaps.

### 3 Federal Recognition

4 MR. JOEL GARTH LOCKLEAR presented a proposal to the  
5 Council to raise money for federal recognition efforts, suggesting  
6 that each representative put forth an effort to raise \$1000, through  
7 asking for donations from Tribal members in their district over the  
8 next 2 months. MR. KENT HUNT suggested doing a fund raising campaign  
9 for federal recognition during Homecoming.

### 13 Special Program in September with Three Star General

14 MR. DAVID CARTER reported 25% of the reserve force are  
15 either Lumbee or Lumbee descendants. A General from Charlotte has  
16 expressed interest noting that a Three Star General from Washington,  
17 D.C., a Commander for the entire East Coast, wants to meet the Tribal  
18 leaders, the Council, and wants to learn about the Lumbee culture.  
19 In attendance with him will be some dignitaries and other delegates  
20 will be invited. April and John are putting together a program. The  
21 Army will be funding this program. April gave a report on some of  
22 the planned activities, noting that UNC-Pembroke is the host  
23 location. MR. JOEL GARTH LOCKLEAR suggested to be sure to make them  
24 aware of Admiral Holmes, also Three Star Admiral from our Tribe.

### 25 Chairman's Report

1 MR. JIMMY GOINS gave the Chairman's Report. MS. LINDA  
2 HAMMONDS asked who is identified as the TDHE. Mr. Goins reported  
3 that it is the Lumbee Tribe and that he is recognized as the  
4 responsible agent. He reported on federal recognition, that we are  
5 still waiting for a response and hoping that it will be real busy  
6 next month.

7 MR. JIMMY GOINS: The next thing that I'm involved in  
8 right now, if you want to ride with me, get up with April, she has  
9 the schedule. We are going to start meeting with all the state  
10 recognized tribes to thank them for all their support about federal  
11 recognition, any way we can help them. The second thing I want to  
12 discuss with them is the Section 184 program. If we're approved, we  
13 want to give services to our people across the state, any time we  
14 give service in Coharie territory we are going to have to get a  
15 letter of agreement. I'm meeting with their Tribal Council to make  
16 sure we are going to be able to do that. We have going to have to  
17 get their permission to go into their territory. And the third thing  
18 we are going to be discussing is the veterans. I think Harold and  
19 Larry is going to alternate and ride with me. And all this is going  
20 to happen next month. So, if you want to ride, meet the other Tribal  
21 Council members and go to a meeting that would be an education  
22 opportunity. The relationship with LRDA is still a work in progress.  
23 We'll see what we can do after July 4<sup>th</sup> about meeting with them.  
24 That's something that needs prayer and thought, but we need to work  
25 together. How you are going to arrange that working together, I

1 don't know, that's left up to you. The only thing I feel my duty is  
2 to open the doors and start the communication. As soon as we get  
3 some ideas together from LRDA, we'll bring them back to you and let  
4 you hash them out.

5 MS. PEARLEAN REVELS: I think the best thing to do is  
6 go ahead and set up the committee from the Council and let them be a  
7 part of the meeting, then that way if they have a problem, they can  
8 bring it back to the entire Council, and let us be a part of it at  
9 that time. I think that would work.

10  
11 (Ms. April gave an update on the tickets for  
12 Homecoming activities. She reported that the grand opening of the  
13 Lumbee Boys and Girls Club is scheduled for June 30<sup>th</sup>.)

14 MR. JIMMY GOINS: As you know we have been advertising  
15 a position, and the two main reasons I brought Leon here, number one  
16 was to get a handle on the housing. Folks, it's going in the right  
17 direction. And the second I felt like we had to have him was to find  
18 more funding for Lumbee people. You keep saying, I hear you talk  
19 about the Elder Service, God bless you, because we've got to do more  
20 for our elders and handicap than just putting windows in. They don't  
21 know how to apply for their disability or social security. These are  
22 the things we need to start looking at. To have a more focused  
23 program takes money. We need to be about finding money for  
24 education, scholarships for our kids. Should be money somewhere if  
25 nothing else but to buy milk or something for our people. There's

1 got to be some help our there to get medicine for our people.  
2 Several more things I've talked to Leon about, to start more programs  
3 and build relationships, not only with other Indian tribes but other  
4 organizations in the county, especially DSS. There is a young Lumbee  
5 lady that stays in Greenbay, Wisconsin. Guess what she does? She  
6 has been helping the Oneida Tribe build their own foster care  
7 program. In fact she help write 2 grants, ¼ million dollars each.  
8 She's coming home for the 4<sup>th</sup> and we are going to sit down and have a  
9 long time with her. She wants to help the Lumbees get a handle on  
10 foster care program. As you well know we only have 7, as far as I  
11 know, only 7 foster care parents in Robeson County that is Lumbee.  
12 Our kids is scattered all across North Carolina. We need to think  
13 about how we can keep them in a traditional Lumbee home. (Mr. Joel  
14 Garth Locklear shared his experience with foster care training.)  
15 Also, need to use his contacts, I think he is going down to U-CEF  
16 conference. That is a big plus. We ought to go there and talk to  
17 them about federal recognition of the Lumbee people. These are the  
18 things I want Leon to do, but Leon don't need to worry about who's  
19 coming to work today. He needs somebody here to give him some  
20 relief. He'll still be in charge of the housing program, but we need  
21 to give him some relief of the day-to-day operation. I want to put  
22 politics aside, put personal feelings aside, and get people who will  
23 be local to this government and dedicated to the Lumbee people,  
24 people who has the experience to do the job. I know some of you  
25 won't like this, but I'm sorry, but let's give the man a chance, an

1 opportunity to show what he can do for our people. This takes a man  
2 with a lot of power, somebody who knows how to write grants. Folks,  
3 I know this is going to be a hot issue, but so be it. I want to do  
4 what we feel is right for the Lumbee people, not what's right for me  
5 personally or people who have supported me personally. But what's  
6 right for the whole Tribe. The decision was made and I'm going to  
7 support 100%, I'd like to

8  
9 introduce to you the new Administrative Assistance to Leon Jacobs.  
10 Mr. James Hardin, would you stand up, please.

11 MR. JAMES HARDIN: It's good to be here and I met with  
12 Leon today and I got a very motivated group I would I say, a lot of  
13 good staff. I'm here to help anyway I can. I've been in the Indian  
14 business for 30 days this December. I ran an urban Indian center,  
15 the largest Indian center on the East Coast, I was head of the tribal  
16 organization here for the Lumbees for 13 years. Headed up their  
17 Planning and Resources Development Office for 2 years, and also I  
18 served on the National Congress of American Indian Board, National  
19 Urban Indian Council, helped form national Indian organizations going  
20 back to the late 1970's. I was Chairman of the NC Indian Housing  
21 Authority when the 37 Stock came on line when Leon was head of HUD in  
22 Chicago. So, I've been around a long time, got a lot of experience  
23 and I think I can grow the organization. You got a lot projects on  
24 the drawing board, as you saw tonight, the Tribal center, all these  
25 housing developments and all that can't happen unless you got a

1 strong administrative unit. And I'm here to compliment and  
2 supplement what's already here. So, I look forward to working with  
3 the Tribal Council. As most of the you I served on the Council for 3  
4 years. So, I think I can look at things a lot of different ways.

5 MR. WELFORD CLARK talked about understanding his role  
6 as a Tribal Council person. "Do I understand that the Tribal Council  
7 representative serve 2 purposes. That we are Tribal Council  
8 representatives, and that an act of this Council at the inception of  
9 the government also creating a housing board whereby the Council  
10 people were the housing board or board of commission as HUD or  
11 NAHASDA likes to call it. Am I correct in that assumption? (Mr.  
12 Leon Jacobs responded yes.) Well then I'm confused. I was hoping  
13 that the answer was no then I'd be done. But the lady in that  
14 workshop that I sent about a day with as some of you know. So that  
15 make us a TDHE, is that correct? (Mr. Leon Jacobs responded yes.).  
16 Okay, this is what she told us about NAHASDA and HUD. (Mr. Clark  
17 read information he received from the conference.) So, the function  
18 of the TDHE, which is us 21 people, is to manage this money, the  
19 operation of the low-income housing in compliance with terms and  
20 conditions of NAHASDA. So, that's our responsibility. The TDHE  
21 conducts its business and ensured all endeavors are operated  
22 efficiently to present a success result. Is that our job? I'm  
23 asking, I'm not being cute, I'm just asking, is that what we're  
24 supposed to do? So, we supposed to operate efficiently. (Mr. Clark  
25 continued to read and ask questions from the information he received

1 from the conference, inferring that the Council is and has been  
2 functioning as the TDHE, asking if the Council is indeed the TDHE.  
3 Several Council members replied, yes. Mr. Clark continued reading.  
4 Mr. Clark went on to say that he thinks we're doing something wrong,  
5 thinking that he is being held accountable for money and actions,  
6 positive or negative, of employees of this office. Mr. Clark who is  
7 the housing director and Mr. Leon Jacobs responded that he is.

8 MR. LEON JACOBS: Can I step in at this point? You  
9 are an elected legislator, elected under the constitution of the  
10 Lumbee Tribe. As a legislator, the constitution spells out what your  
11 legislative duties are. HUD created NAHASDA. They allow tribes to  
12 administer NAHASDA one of two ways, either the tribe itself can  
13 administer the program or they can created a TDHE, a tribal  
14 designated housing entity.

15 MR. WELFORD CLARK: And that's us?

16 MR. LEON JACOBS: No, I found nothing since I've been  
17 here that says that you created a TDHE. The Tribe runs the program,  
18 there is a housing committee, there's a big difference. A legal  
19 difference between a housing committee and a board of commissioners  
20 running a housing authority or a TDHE. The housing committee's  
21 responsibilities and duties from the Tribal government as I  
22 understand it and reviewed it here was to create an Indian housing  
23 policy under which the Tribal Administrative arm of the Lumbee Tribe  
24 would administer the NAHASDA Indian Housing program to the Tribal  
25 membership and that is what is happening now. Your constitution that

1 you were elected under clearly differentiates between the lines of  
2 authority of the legislative body, the executive branch and the  
3 judicial branch. You create laws as a legislative body, we at  
4 administration are responsible for assisting to make sure those laws  
5 are enforced. The judicial branch is responsible for adjudicating  
6 any violations of those laws, and they are also responsible for the  
7 interpretation of those laws and the constitution of the tribe. So,  
8 I find nothing where you created a specific TDHE. The Tribe is  
9 administering the NAHASDA program like hundreds of tribes throughout  
10 the United States. There are some that chose to go the TDHE route  
11 and those regulations and those policies, refers to a board of  
12 commissioners. Now, there's no ordinance that I've found here that  
13 created any board of commissioners here for the Lumbee Tribe.

14 MR. GERALD GOOLSBY: Is there like a registration with  
15 HUD?

16 MR. LEON JACOBS: You do it through resolutions like  
17 you've done in the past. You do it in communications, you sign a  
18 contract with HUD.

19 MS. LINDA HAMMONDS: And that has been done and it's  
20 documented. I don't have my copies with me, but this Tribal Council  
21 is the TDHE.

22 MR. LEON JACOBS: You did create one?

23 MS. LINDA HAMMONDS: Yes, we did.

24 MR. LEON JACOBS: Where's the ordinance?

1 MS. LINDA HAMMONDS: We don't have an ordinance. We  
2 made the motion and so forth and we stood by that.

3 MR. GERALD GOOLSBY: I guess what I'm asking, in HUD's  
4 mind -

5 MS. LINDA HAMMONDS: We are.

6 MR. GERALD GOOLSBY: In HUD's mind, as you said, the  
7 Tribe itself is the administration?

8 MR. JIMMY GOINS: Y'all control the budget by  
9 approving it. That's the reason I said a while ago if anybody is  
10 going to jail it's me, because you delegate that responsibility to  
11 administrate, to spend that money exactly the way you tell us to  
12 spend it.

13 MR. LEON JACOBS: Do you see anything in the minutes  
14 creating a TDHE.

15 MR. JOEL GARTH LOCKLEAR: We created a committee for  
16 all of us on the housing committee. Prior to that time, there was a  
17 small group here running the housing committee and we were having  
18 problems with communications, therefore we voted and elected to put  
19 everyone of us on that housing committee. That's the only committee  
20 I know that I have served on since I came here.

21 MS. LINDA HAMMONDS: When the first Indian housing  
22 plan was set up, we were set up then as a TDHE.

23 MS. PEARLEAN REVELS: So that was before our time?

1 MS. LINDA HAMMONDS: Yes. It doesn't matter because  
2 HUD is going to still tell you, unless all their documents are wrong,  
3 that you are the TDHE.

4 MR. KENT HUNT: Ms. Linda, do you have a copy of those  
5 minutes?

6 MS. LINDA HAMMONDS: Not with me.

7 MR. LEON JACOBS: I will review the HUD Indian Housing  
8 Plan and see if we can verify this.

9 MR. WELFORD CLARK: I don't want to be a TDHE, Mr.  
10 Jacobs. I want somebody to assure me that Mr. Goins will be the  
11 person going to jail --

12 MR. LEON JACOBS: I can assure you that Mr. Goins will  
13 be the person and along with myself because he's the one that signs  
14 the contract.

15 (Ms. Santana Hall made a presentation regarding her  
16 Early Childhood Education portfolio and her trip to San Diego.)

17 (MR. LARECE HUNT reported that he had the opportunity  
18 to meet with former Senator Ben Night Horse at the conference, who  
19 apologized for not getting the Lumbee Recognition Bill through. Mr.  
20 Jimmy Goins noted that it was a wonderful conference. Mr. Goins  
21 reported on the splendor of the Grand Opening of the NCAI and how  
22 well our veterans presented themselves.)

23 **Administrator's Report**

24 MR. LEON JACOBS: I did have a report but I am totally  
25 exasperated. I've been here every night, some of you probably don't

1 want to hear this, but I'm going to say it anyway. I haven't gotten  
2 out of this place before 9 - 9:30 every night this week. And it's  
3 been good in many ways, but when we come into a Council meeting, we  
4 just got back from a retreat where we spent a few hundred dollars and  
5 we come in here and it gives me the impression as the Tribal  
6 Administration that some of you here at the Council don't trust a  
7 thing that we're doing. I have my staff sitting out here, they get  
8 exasperated as well. It is very disappointing to sit through a  
9 meeting and not feel appreciated for all the hell we take during the  
10 day, all the time we put in. As far as a budget is concerned, there  
11 seems to be a concern that we don't know what we are doing, we are  
12 not managing the budget, so why don't you all just develop the budget  
13 and give it to us. I've got an outline here for a budget. We spent  
14 2 hours today with the staff talking about getting together one of  
15 the best documents that you've ever had. I've seen the previous  
16 budgets that you approved and I want to give you something better.  
17 And I don't know if we should spend the time because I don't think  
18 it's appreciated after we do it. That's the way I feel tonight. I'm  
19 letting you know my true feelings. So, if you want to develop a  
20 budget, here's a possible outline. If you want me to develop the  
21 budget like we did last year and be a team player with you in  
22 developing a budget that is a tribal document that we can take to the  
23 membership and feel a sense of pride in it and so forth, then I will  
24 work with you, that's what you brought me here for to do, that why  
25 the chairman brought me here. But, folks, I'm going to stay one

1 other thing, Mr. Speaker. Last fall, we needed \$30,000 for federal  
2 recognition. The Chairman directed me to pick up the phone and call  
3 Ronnie Sutton and I call Ronnie Sutton and within 2 days, we had  
4 \$30,000. When we needed a site to hold our first Pow Wow and we had  
5 difficulty with the Cultural Center board, I went to Ronnie Sutton  
6 and he worked out the details and got us the site, and you couldn't  
7 pass a simple resolution here tonight to honor this man who has  
8 helped you and helped this Tribe. That is very disappointing. You  
9 got to have a road map for everything you do. I worked with tribes  
10 all over the country and they honor their tribal membership, they do  
11 proclamations. They don't have to have an ordinance to one. But, if  
12 you want that, that's fine, but not to honor this man is very  
13 disappointing and I have to say that or I couldn't sleep tonight.  
14 The budget we would hope could be developed by September the 1<sup>st</sup> so  
15 that it will have 30 days for posting and be ready for October 1<sup>st</sup>.  
16 We put some timeframes here that's going to put pressure on the  
17 staff, we are willing to make those timeframes. (Mr. Jacobs  
18 discussed the activities, steps, plans and deadlines regarding the  
19 budget process. Mr. Jacobs asked for a date for the Council to  
20 review the budget. )

21 MR. KENT HUNT: I make the motion, Mr. Speaker, that  
22 we accept Mr. Leon's budget plan as presented.

23 MR. SANFORD LOCKLEAR: I second.

24 MR. DAVID CARTER: All in favor of the motion, aye.

25 (Aye responses.) Any opposed? (None opposed.) Motion carries.

1 MR. GERALD GOOLSBY: Just for the record, the Ronnie  
2 Sutton situation or thing that we voted on a while ago, nothing to  
3 disrespect Mr. Sutton in any way, shape or form, I think he should be  
4 honored for the work he has done for our Tribe and for our people.  
5 The reason I acted the way I did, regardless of how you feel, there  
6 should be procedures and processes for everything and to come a week  
7 later, to me was not honoring. I think we should do stuff prior to  
8 than after the fact. So, there was no disrespect to Mr. Sutton. I  
9 think Mr. Sutton being the man that he is, knows there are processes  
10 and procedures, not disrespect to Mr. Sutton.

11 MR JAMES HAROLD LOCKLEAR: We know the work he has  
12 done and what he has done for the Tribal Office. We know that the  
13 ceremony has taken place. Then we are given a resolution to make a  
14 Ronnie Sutton Day. The conversation and talk about other people  
15 would want the same thing and it was very simple for us to say let's  
16 honor this man, let's go ahead and do this, accept this resolution,  
17 pass it and then we'll look out for future events. That was a simple  
18 thing, but what was done here tonight was very disrespectful.

19 (More discussion about this issue.)

20 MR. WELFORD CLARK: I'd like to offer a motion to  
21 reconsider the resolution honoring Mr. Sutton.

22 MR. SANFORD LOCKLEAR: I'll second.

23 MR. DAVID CARTER: There is a motion and a second on  
24 the floor. (Roll call vote was called for.)

25 MS. FRANCES CHAVIS - roll call vote.

1 Larece Hunt: Yes.  
2 Rudolphus "Dock" Hunt: Yes.  
3 Gerald Goolsby: No.  
4 David Carter: Yes.  
5 Pearlean Revels: Yes.  
6 Sanford Locklear: Yes.  
7 Kent Hunt: Yes.  
8 Frances Chavis Yes.  
9 Lawrence Locklear: Abstain.  
10 Joel Garth Locklear: Yes.  
11 James Harold Locklear: Yes.  
12 Lois Oxendine: Yes.  
13 Jerl Locklear: Abstain.  
14 Linda Hammonds: No.  
15 Aggie Deese: Yes.  
16 Welford Clark Yes.

17 MS. FRANCES CHAVIS: 12 ayes, 2 no, 2 abstain.

18 MR. DAVID CARTER: Motion carries.

19 (Motion made and seconded to adjourn the meeting)

20 - MEETING ADJOURNED -

21 - 11:10 p.m.-  
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