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Linda Hammonds: Here.

Jimmy McNeill: Absent at time of roll
call.

Richard Locklear: Here.

Danita Locklear: Present by conference
call.

Shelley Strickland: Here.

Ricky Burnette: Here.

Welford Clark: Here.

MS. WENDY MOORE-GRAHAM: We have a quorum.

MR. LAWRENCE LOCKLEAR: Ms. Frances called me to let
me know that she is going to be late, she's involved with a function
with Sheriff Sealey this afternoon. Mr. Jimmy McNeill called and
said that his air conditioning is giving him problems and he is
waiting on the AC man to come, so he said he would be just a few
minutes late. Mr. Kent Hunt said he was involved with a wedding
rehearsal and said he would be a few minutes late. I wanted to let
everyone know where those 3 individuals were.

REVIEW APPROVAL OF AGENDA:

MR. LARECE HUNT: Mr. Speaker, without objection, with
health and human resources, we have a member with our committee who's
in another meeting and wants to hear a presentation that's going to
come out of health and human resources report, and I'd like to move
that to last item.

1 MR. LAWRENCE LOCKLEAR: Okay, so we're gonna move
2 health and human services after public relations.

3 MR. LARECE HUNT: He may be here before then.

4 MR. LAWRENCE LOCKLEAR: Move health and human services
5 after public relations. Anything else? Hearing nothing else, do I
6 hear a motion we accept the agenda with the changes?

7 MR. LARECE HUNT: So moved with the changes.

8 MR. JERL LOCKLEAR: Second.

9 MR. LAWRENCE LOCKLEAR: We have a motion on the floor
10 with a second to accept the agenda with the change of moving health
11 and human services after public relations. Is there any discussion
12 on that. Okay, hearing no discussion, all those in favor, say aye.
13 (Aye responses.) All those opposed. (None.) Motion carries. The
14 agenda is accepted with the one revision.

15 **REVIEW AND APPROVAL OF MINUTES:**

16 MS. WENDY MOORE-GRAHAM: I gave me Ms. Lorna the tapes
17 that were from our last meeting. And that is the first opportunity
18 I've had to get in touch with Ms. Lorna. We've been playing e-mail
19 and phone tag and there were family situations that arose, I know in
20 my family, the birth of a grandchild and I don't know what Ms.
21 Lorna's situation was, but I did send out by e-mail to all the
22 actions that were taken during the meeting and if it's okay with you,
23 I am gonna have the verbatim minutes for the next meeting for May and
24 June, at the next meeting.

1 MR. LARECE HUNT: I offer a motion that set aside
2 approving the minutes until such time they are ready to be presented
3 for review and discussion.

4 MR. WELFORD CLARK: I'll second that.

5 MR. JOEL GARTH LOCKLEAR: My I ask a question? I was
6 in the minutes last week and they were unanimously approved to return
7 to the North Carolina Indian Commission. I've already been sworn in.
8 And is there anything by delaying this that will conflict with my the
9 North Carolina Indian Commission.

10 MS. WENDY MOORE-GRAHAM: That was not reflected in the

11 -

12 MR. GERALD GOOLSBY: I offer a suggestion that we
13 approve the action items.

14 MR. LAWRENCE LOCKLEAR: Okay, we got one motion on the
15 floor.

16 MR. JOEL GARTH LOCKLEAR: I'll second that motion.

17 MR. LARECE HUNT: I'll rescind mine. The point I want
18 to get across is that we get a chance to review the minutes but we
19 take whatever actions necessary.

20 MR. LAWRENCE LOCKLEAR: You want to make that as a
21 friendly amendment.

22 MR. GERALD GOOLSBY: Well, he rescinded his/

23 MR. LARECE HUNT: I rescinded and go with the Gerald's
24 motion.

1 MR. GERALD GOOLSBY: I offer a motion that we set
2 aside the approval of the full minutes until they are available, but
3 also approve the action items that has been presented to us tonight.

4 MR. LAWRENCE LOCKLEAR: And I think Mr. Garth's
5 question was we voted -

6 MR. GERALD GOOLSBY: His is action item #7, motion to
7 appoint Joel Garth Locklear.

8 MR. LAWRENCE LOCKLEAR: Okay, so the motion is to set
9 aside the approval of the full minutes until they are ready and also
10 to approve the action items which some of you have in front of you.
11 We have that motion and second. Is there any discussion?

12 MS. DANITA LOCKLEAR: Lawrence, could you voice the
13 motion again, please.

14 MR. LAWRENCE LOCKLEAR: Okay, motion is to set aside
15 approval of the full minutes until they are ready and also so approve
16 the list of action items from the last meeting.

17 MR. LARECE HUNT: And Ms. Danita, we have a sheet with
18 those action items on it. You should be getting a copy.

19 MR. LAWRENCE LOCKLEAR: Any discussion? Hearing no
20 discussion, all those in favor, say aye. (Aye responses.) All those
21 opposed. (None.) Motion carries. We'll set aside approval of the
22 full minutes until they are ready and just approve the action items.

23 **COMMITTEE REPORTS**

24 **CONSTITUTION AND ORDINANCE COMMITTEE**

1 MS. LINDA HAMMONDS: Mr. Speaker, in order to get
2 this started, I'm going to speak at the podium and if you would kind
3 of interact with the what we have here on our computer screen. At
4 each of your sites, at your desks rather, you should have a copy of
5 the same document that is on our screen above. You will notice that
6 there are some items that have been highlighted in red. Let me first
7 begin by saying that the constitution committee met on two occasions
8 and in the month of May, two occasions in the month of June and you
9 have had documents that were included in your packet in which we will
10 be working with tonight. An update from previous ordinances, it is
11 my understanding, Madam Secretary, that the Chairman has signed the
12 ordinance of removal of Tribal Council members, and also has signed
13 the Elder's Review Committee ordinance. Thank you. Some time ago,
14 the constitution committee received a document and I'm sure that
15 there are those of you that have read about a committee that has been
16 meeting in regards to some amendments to our constitution. Let me
17 first say that when the constitution was written, it was written so
18 that all power was retained in the Tribal members. They have the
19 power of recall, they have the power or referendum, and they also
20 have the power of an initiative. You received in your packets
21 earlier this week or last week a memo that was sent to the
22 constitution committee and it was from the Lumbee Constitution
23 Petition committee. I will not take the time to read that document
24 again because this was also sent to you as well. The constitution
25 committee is mandated that if we receive a request from a petitioners

1 committee to look at amendments in the constitution, that we do
2 so, and that is what we did at our last constitution committee
3 meeting. You received a document in the mail that there were four
4 proposed amendments. We have given you an update of those proposed
5 amendments highlighted for you tonight in red in which you were told
6 in advance that there may be some grammatical formatting changes in
7 the particular document. What you see before you tonight in that
8 document highlighted in red, and we did that so that you would not
9 say that we had changed anything or that we were making substantial
10 changes in the document that you had received earlier. So, tonight,
11 what we are going to do, we're going to look at the first proposed
12 amendment, and if you would please let's look at the document in
13 which we have in the red highlight, which is listed on the screen
14 above. The only reason that the amendments have been renumbered is
15 simply because of the paging in the constitution. Proposed amendment
16 one that you see on this particular document is the first page that
17 you would come to in your constitution which is Article Seven, and
18 that is the only reason that the proposed amendment numbers were
19 changed. In proposed amendment number one, it reads that, in Article
20 Seven, we're going to add Section 1D, which reads, "The fiduciary
21 responsibility for all Tribal assets, fines and resources, including
22 the authority to establish policies and procedures for meeting this
23 responsibility and duty". You may not have your constitution with
24 you, but what this is doing, this is talking about the Tribal Council
25 responsibility under the current document.

1 MR. JAMES HAROLD LOCKLEAR: Ms. Linda, in reading
2 Article VII and you said add Section 1C, and he reads add after
3 Section 1C".

4 MS. LINDA HAMMONDS: Okay, in our document currently
5 there is a section called 1C, okay, right. What we would like to do
6 is add this particular statement, Mr. Locklear, which would become
7 Section 1D.

8 MR. JOEL GARTH LOCKLEAR: May I ask you a question. I'm
9 not as bright as some of you. Fiduciary, I know about judiciary.
10 Fiduciary is a new word to me. What does it mean?

11 MS. LINDA HAMMONDS: To put it as Ms. Wendy as stated,
12 is that you have the power of the purse, you have the financial
13 responsibility. The fiduciary is the legal term and Ms. Spaulding, -
14 -

15 MS. PAM SPAULDING: Financial.

16 MS. LINDA HAMMONDS: Is the financial responsibility
17 for all Tribal assets.

18 MR. JOHN LOWERY: When I look at a) Article VII, it
19 says the "enactment of annual tribal budgets, provided that budgets
20 shall be enacted into tribal law following the conduct of tribal
21 hearings on budgets proposed Tribal Chairman". The enactment of
22 annual tribal Budgets, I see where this is just "D" is pretty much
23 all you need on this. We already have power of appropriation of
24 money, putting in a budget and saying here's where all the funds go.
25 Does anybody else see that also or is it just me.

1 MS. LINDA HAMMONDS: Mr. Lowery, you see it that
2 way, however, we have had an amendment that was brought forth by this
3 body and it was called a "Budgeting and Monitoring ordinance", and of
4 course the Supreme Court came back and questioned the right of the
5 Tribal Council to be responsibility for those items. And this is one
6 of the reasons this is being added to clarify that. Ms. Wendy.

7 MS. WENDY MOORE-GRAHAM: I was going to say that "a)"
8 was a reflection of "d)" and you add "d)" under "ai".

9 MS. LINDA HAMMONDS: It's going to be difficult for me
10 to stand here and makes notes too, I know Ms. Wendy is doing that,
11 but if someone else assist her, we would certainly appreciate that.

12 MS. PAM SPAULDING: I see it as in Section a) is
13 specifically talking about the budget. It's not broadening the
14 financial responsibility of the Council. This number d) broaden it
15 and make is all inclusive.

16
17 MR. JOHN LOWERY: She sees it and I see it another,
18 because the budget is the budget. The budget deals with all of our
19 money, all the assets. The tribal budget is us taking care any
20 fiduciary responsibility, all money and assets. That's just my
21 opinion.

22 MR. GERALD GOOLSBY: In your opinion, under this
23 amendment, say it's voted and it's happened. What responsibility
24 would the administration have?

1 MS. LINDA HAMMONDS: The administrator has the
2 responsibility for, . - or are you talking about the executive side?

3 MR. GERALD GOOLSBY: The executive side.

4 MR. LAWRENCE LOCKLEAR: The executive side has the
5 responsibility of carrying out the laws that we put into place.

6 MR. GERALD GOOLSBY: I'm sorry, as far as the
7 budgeting process, the self monitoring, the drawdown on monies, what
8 would their responsibilities be? Would you make the same or does it
9 change with this? How do you see the executive function in this
10 government as it relates to this item?

11 MS. LINDA HAMMONDS: Well, actually, what this is
12 doing is providing this council with law that states that you do have
13 oversight which is currently what you do in the NAHASDA funding
14 anyway.

15 MR. GERALD GOOLSBY: What is the administration's
16 responsibility? What would their responsibility be?

17 MS. LINDA HAMMONDS: They have the same responsibility
18 and that is to carry out the law of the Tribal Council.

19 MR. GERALD GOOLSBY: Who would be responsibility for
20 creating the budget? In other words, right now they create a budget
21 and present to us for approval. Is that going to continue?

22 MS. LINDA HAMMONDS: Absolutely, that is not changing,
23 that particular part of the constitution, Mr. Goolsby.

1 MR. GERALD GOOLSBY: So, what you're saying is,
2 basically, the oversight is basically what this would be for,
3 oversight?

4 MS. LINDA HAMMONDS: It's oversight and you have
5 financial responsibility. As the individual who was elected by your
6 district to speak on their behalf.

7 MR. GERALD GOOLSBY: Okay, explain responsibility.
8 What is your definition of what my responsibility is going to be next
9 year if this is approved?

10 MS. LINDA HAMMONDS: To have oversight and monitoring,
11 sir.

12 MR. GERALD GOOLSBY: I'm going to use Brother Welford
13 as an example. He don't want to go to jail no more than I do, are
14 you saying that this is going to be the legal document if funds are
15 misused by someone I don't even know in the
16
17 government, that I'm responsible for that money and I am responsible,
18 --

19 MS. LINDA HAMMONDS: You are currently responsible for
20 that, sir. You are responsible for any misappropriation of money.
21 Because you are the individual that was elected to speak, once again,
22 on behalf of your constituents.

23 MR. GERALD GOOLSBY: The understanding I have now, the
24 person who signs the housing plan is responsible for the money as far

1 as misappropriating as it sits now. That's the understanding
2 I've got.

3 MS. LINDA HAMMONDS: I believe that there those of us
4 who will disagree with you. I really don't think that the law agrees
5 with you. The law is clear on this. As the individual who sits here
6 and makes decisions whether you deliberately overlook your
7 responsibility or you are a part of it, you are still responsible to
8 those individuals that elected you to sit in this seated government.
9 Secondly, you were sworn by an oath, you were sworn in to uphold the
10 constitution.

11 MR. JAMES HAROLD LOCKLEAR: Ms. Linda, I think, you
12 know, before we started all this amendment work and everything, the
13 constitution, I thought it stood pretty good because like yourself
14 and maybe some of other folks in here that helped put this
15 constitution together and all of sudden here, it's having all these
16 inadequacies in it. You know, and it seems like an awful lot here to
17 have to deal with in less than 6 months, maybe 6 months, like we're
18 working overboard on this constitution for some reason to try to get
19 it in a set place. And all this verbal stuff here and a lot of
20 stuff, that if I read the constitution, the constitution tells me
21 what to do I'm ready to act on it. But, we got a whole pile of
22 amendments here and resolutions and things that seem like to me it's
23 just twisted it up and making it more complicated.

24 MS. WENDY MOORE-GRAHAM: Mr. James Harold, if you
25 would look at the United States constitution, there was a base

1 document that was written in 1776. And since 1776, I don't
2 know how many amendments have been placed to that document but what
3 is says is, -- that the constitution that we have is a work in
4 progress and as the dynamics of the Lumbee Tribe change, so does the
5 foundation that it's required to sustained the Lumbee people and this
6 is the rationale behind amendments to the constitution is to broaden
7 the foundation so that it is more reflective and more protective of
8 the interest of the Lumbee people.

9 MR. JAMES HAROLD LOCKLEAR: I'm glad that you feel
10 that way and I certainly applaud you for it, but I hope it works just
11 the way you said it. I'm going to tell you something and then I'm
12 going to hush, but I remember when we voted on this thing, it was
13 sent before the committee to make an order of it. I said I would
14 support this, I would support it if it's used to attack anyone.
15 Anyone. And you promised me that it would not be
16
17 used for that. And that's all I see of it right now. That's all I
18 see of it.

19 MS. LINDA HAMMONDS: Mr. James Harold, I'm sorry, but
20 this particular document or these amendments have never been
21 presented to you all for consideration. I'm not sure what document
22 that you're referring to at this point and time. Mr. Welford?

23 MR. WELFORD CLARK: Three comments. I simply see in
24 this and I'll refer back to what you said concerning the veto and the
25 action by the Supreme Court, and part of their ruling had to do with

1 simply because there was not clarity in the constitution. So,
2 number one, I see this as simply a way of adding clarity to the
3 constitution, to say what wasn't said. Number one. Number two, I
4 want to just piggyback on what Wendy said. I was speaking to someone
5 today and I quickly calculated in my head that from 1776 to 2006,
6 that's 230 years. We got 535 people in Congress and their still
7 working on the document. So, we'll never get to the point where it
8 will be complete. We're always going to be working on it. And the
9 third and final thing I will say is this, this amendment was not
10 initiated by Tribal Council. These amendments were proposed by a
11 citizens group, so if there are axes to grind, it's not from the
12 Tribal Council, but it's an action of the citizens group and we're
13 merely responded to them as they exercise their constitution
14 authority to offer these amendments to the constitution.

15 MR. JAMES HAROLD LOCKLEAR: Let me clarify myself, but
16 when I made that statement about when we voted on this matter, it was
17 several months back, a long time back that we first started this
18 process of adapting programs that would help us better and I did, I
19 made that statement and y'all said to me, this not what's it's for.
20 I said I will not support it if it's going to attack people. So, I
21 like what you said, I really do, so let's go forward.

22 MS. LINDA HAMMONDS: Tribal Council members and to the
23 body, I did fail to mention that whatever action that we do here
24 tonight, this still has to go before the people. Whatever we do,
25 whether we accept it by 2/3 of those of us present here tonight, if

1 the petitioners committee does not like our actions, they have a
2 right to go forth to the Tribal members and bring it forth as an
3 amendment to the constitution. And I believe, Mr. John, had his hand
4 and at this time, we'll -

5 MR. JOHN LOWERY: I got a question and I got a
6 statement. Are we going to vote on this tonight?

7 MS. LINDA HAMMONDS: Yes.

8 MR. JOHN LOWERY: Let me just say now that I would
9 like for us to wait until our next special called meeting to vote on
10 this. But anyway, my statement is this, this is our constitution and
11 there is four changes here that have brought to us, and I commend
12 this group of people who have got together because I do believe that
13 they have followed the proper procedures. But the thing that I say
14 to all of us today, let's take our time with this. Let us as a
15 Tribal Council look at this. Let's not be changing any constitution
16 or proposing amendments every time something is brought to us because
17 in the future we could have probably all kinds of amendments just
18 loading up here for us to vote on. So, let's just careful and let's
19 look at and research it before we vote on it here tonight.

20 MS. LINDA HAMMONDS: Mr. Speaker, we have 2 more
21 comments and then we'll put it to the body for a vote. Mr. Garth
22 Locklear, then Ms. Wendy.

23 MR. JOEL GARTH LOCKLEAR: My concern is I know it came
24 from the public and I appreciate it that. I have been tied up with a
25 trial and I haven't been able to attend any meetings, so all this is

1 fresh to me. Has this proposal been examined and looked at by
2 the attorney that works for us to give us an opinion to make sure
3 we're following the procedures so it won't get us in trouble or more
4 problems than what we already have? That's my concern. Has it been
5 reviewed by someone in the legal profession to give us the proper
6 advice so we are not bucking up against the wall with our Supreme
7 Court or anyone else.

8 MS. LINDA HAMMONDS: In actuality, sir, the people
9 have to right to write an amendment to the constitution that can
10 dictate, elaborate, anything that they want. It is not up to an
11 attorney or anyone else to approve their right to do that or the
12 content of what it is that they're doing. Ms. Wendy.

13 MR. JOEL GARTH LOCKLEAR: I realize that, ma'am. I
14 also have a responsibility to make sure we give the best service we
15 can give them. We're supposed to be very careful to make sure it's
16 proper and not something that's going to give us trouble.

17 MS. LINDA HAMMONDS: And to answer that, I do
18 understand that there have been attorneys, yes, sir, that have
19 previewed, reviewed this document.

20 MS. LINDA HAMMONDS: Ms. Danita, we'll take her
21 comment since she is on speaker phone tonight.

22 MS. DANITA LOCKLEAR: I'm ready to vote on the issue.

23 MS. LINDA HAMMONDS: We have one more comment, Ms.
24 Danita, we promised Ms. Wendy, then we are going to put it to a vote.

1 MS. WENDY MOORE-GRAHAM: Okay, for clarification,
2 number one, this issue will not come to a vote by the Council and be
3 approved by the Council. It is saying that this will be inclusive in
4 the November election that will be brought to the Lumbee people for
5 their decision, not ours.

6 MR. JAMES HAROLD LOCKLEAR: For their vote on it?

7 MS. WENDY MOORE-GRAHAM: Not our vote. All we're
8 voting to do is to allow the people to vote on what they want to do.
9 It's not the Council's right.

10
11 MR. LAWRENCE LOCKLEAR: Okay, we got Mr. Gerald and
12 Ms. Pam, and then we got a -

13 MR. GERALD GOOLSBY: I was going to comment on John's
14 question a while ago about do we have to vote on it tonight. In the
15 way it was presented to me, the committee would like us to make
16 action tonight, to vote it up or down because July 4th is coming up
17 and they can get a petition together to present it properly for the
18 vote during election, because of Homecoming and July the 4th. I
19 personally, although I made comments, I personally don't have a
20 problem with the first amendment and I don't see a problem with going
21 forward.

22 MS. PAM SPAULDING: I just need clarification on
23 something that affects me personally. I'm on an appointed board, and
24 it says, -- I realize it says --, but let's say, are we going to vote
25 the whole thing or one at a time.

1 MS. LINDA HAMMONDS: One at a time. We have to
2 do it one at time.

3 MR. LAWRENCE LOCKLEAR: Okay, a motion from the
4 constitution committee to forward proposed amendment number one to
5 the elections board so the election board can prepare it to be put on
6 the November ballot. Is there any more discussion? Since it's
7 coming from committee, a second is not required. Hearing no other
8 discussion, since this is legislation, this requires a roll call
9 vote. Ms. Wendy.

10 MS. WENDY MOORE-GRAHAM: Roll call.

11 Larece Hunt: Yes.

12 Sharon Hunt: Yes.

13 Gerald Goolsby: Yes.

14 Pam Spaulding: Yes.

15 Sanford Locklear: Yes.

16 John Lowery: Yes.

17 Lawrence Locklear: Yes.

18 Joel Garth Locklear: Yes.

19 James Harold Locklear: Yes.

20 Wendy Moore-Graham: Yes.

21 Jerl Locklear: Yes.

22 Linda Hammonds: Yes.

23 Richard Locklear: Yes.

24 Danita Locklear: Yes.

25 Shelley Strickland: Yes.

1 Ricky Burnett: Yes.

2 Welford Clark: Yes.

3 MS. WENDY MOORE-GRAHAM: Mr. Speaker, 17 yes.

4 MR. LAWRENCE LOCKLEAR: By a vote of 17 to nothing,
5 the motion is approved and proposed amendment number one will be sent
6 to the elections board to be placed on the November ballot.

7 MS. LINDA HAMMONDS: Mr. Speaker, we are now on
8 proposed amendment number 2, which will be an amendment to Article
9 VII, Section 2b). I could take the time for all of you to read this,
10 but I would prefer not to do that. I do want to add one thing for
11 clarification. The triple "i" there reads, "no person", and you can
12 notice that this is on the screen above, and it has been put in all
13 caps, that reads at the end of that sentence, "and this Tribal
14 government, except as Tribal Council shall provide by Tribal law".
15 Looking at this particular section that I'm going to entertain
16 comments and questions at this time. Mr. Gerald Goolsby.

17 MR. GERALD GOOLSBY: My issue with this is "shall be
18 filled by election of the people". In other words, state appointed
19 agencies or where it says "for profit or other", say I'm an educator,
20 that's a state job and I was asked to serve on the state election
21 boards as advisor position or as a whatever, and I'm already a
22 Council member. Is that saying that I couldn't do that by the way
23 it's written. I would suggest some way of adding in this to where
24 it's a conflict of issue as it relates to Indian business so to
25 speak. There is state boards or state things that would not be a

1 conflict to our Tribal government that certainly would be okay
2 to serve on. I just have a problem with it being, I know it says
3 except by Tribal law. We don't have a Tribal law now, and we may not
4 ever get one that will allow that. You see what I'm saying.

5 MS. LINDA HAMMONDS: I'm sorry, Mr. Goolsby, that's on
6 the third 'i", okay, is that correct, where it says, "except that the
7 Tribal Council shall provide by Tribal law".

8 MR. GERALD GOOLSBY: I was saying that because it goes
9 along with number one.

10 MS. LINDA HAMMONDS: In actuality, we already have a
11 law on the book that deals with the appointments to various boards
12 and commissions. It's an ordinance, it's the ordinance on
13 appointments. Does anyone have a copy of that ordinance in their
14 book.

15 MR. GERALD GOOLSBY: If you're referring to the
16 ordinance where the Tribal Council would do its best not to appoint
17 anybody to any board without going out and finding somebody first.

18 MS. LINDA HAMMONDS: You know, I can stand here and
19 argue with you and that, Mr. Goolsby, but I'm not going to go into
20 that because I totally disagree with you. I believe the terminology
21 is to the extent possible, but other questions on this particular
22 amendment?

23 MR. SANFORD LOCKLEAR: I sit on some boards, I know I
24 go twice a month sometimes. I get \$75 if work for 30 minutes and
25 (inaudible), and if you think I'm sitting on boards like that, I

1 wouldn't be sitting on the Tribal Council. They're not paying
2 me, you know, and I would not vote "yes" on that.

3 MR. JOHN LOWERY: Proposed amendment number two and I
4 can also say this about proposed amendment number three. I feel like
5 these amendments will take about people's rights as Tribal members.
6 And the way that I feel it takes away our rights because, if I read
7 this and I see it the way that I do, if the Govern of the state
8 appoints me to the transportation board, I have to decide whether I
9 want to serve on the transportation board of North Carolina or on the
10 Tribal Council. And I don't see why I as an individual should have
11 to decide between my rights as a citizen of this state and also a
12 member of this Tribe. And also, I think this takes away from the
13 Tribal members rights and votes because if I'm serving on the board
14 and my vote is already noted that I am and they still put me on, are
15 all of them wrong also? And, for instance, the board of trustees at
16 the college, they meet 4 times a year. I'm supposed to give up my
17 Tribal seat just because I meet 4 times a year with the board of
18 trustees out at the college? This is taking away. Our constitution
19 should be about giving rights and not taking away rights of Tribal
20 members. And that's the way I see about proposed amendment number
21 two and proposed amendment number three.

22 MS. LINDA HAMMONDS: Mr. John Lowery, just for
23 clarification, ladies and gentlemen, if proposed amendment because I
24 meet 4 times a year with the board of trustees out at the college?
25 This is taking away. Our constitution should be about giving rights

1 and not taking away rights of Tribal members. And that's the
2 way I see about proposed amendment number two and proposed amendment
3 number three.

4
5 MS. LINDA HAMMONDS: Mr. John Lowery, just for
6 clarification, ladies and gentlemen, if proposed amendment two and
7 proposed amendment three came directly from the constitution from the
8 state of North Carolina that deals with dual offices. The only thing
9 that it changes here instead of putting the state, you see in red,
10 "the Tribe" is there. So, is the constitution of the state of North
11 Carolina, if it's good enough for them, that it is not eliminating
12 the rights of individuals, it certainly would not be eliminating the
13 rights of our Tribal membership. This wording is directly from the
14 North Carolina constitution on dual offices. Mr. Welford?

15 MR. WELFORD CLARK: Yes, in response to Mr. Goolsby's
16 question about that ordinance that you cited, it's 2005-007 and it's
17 outlined in Section 3, entitled "Tribal government affiliated
18 position not constitutionally mandated". That's the ordinance that
19 you referred to.

20 MR. LAWRENCE LOCKLEAR: Is there any other comments
21 before we go back to John, is there any other comments.

22 MR. JOHN LOWERY: And I understand the constitution of
23 the state. I'm a member of the state and this Tribe. And if I want
24 to serve the state and the Tribe together at one time, I don't see
25 why I cannot as far as being appointed on a board. I do not a

1 problem with that. If there is a problem and there's a lot of
2 people out there who are serving on 2 and 3 boards who need to just
3 resign and just focus on one. Somebody on this Tribal Council could
4 easily be appointed to a board so that we could be a liaison between
5 that board and this Tribal Council. I just think that we need to
6 take this into consideration and take into consideration that we are
7 taking our rights as Tribal members if this is passed by the people.

8 MR. GERALD GOOLSBY: So, this is taken from the state
9 constitution, so when the govern appoints someone as he has in the
10 past as a Tribal Council to North Carolina Indian Housing or
11 whatever, is he going against his own constitution.

12 MS. LINDA HAMMONDS: The triple "i" there reads that
13 except as the Tribal Council shall provide by Tribal law", the
14 constitution reads, "except as the General Assembly shall provide by
15 statutes".

16 MR. GERALD GOOLSBY: And I'm going to say this and
17 I'll be quiet. I can support this amendment if we can put in there
18 something about where it shows conflict of interest. I could support
19 this amendment. If we can't put something in there about the
20 conflict of interest, then I cannot support it.

21 MR. JAMES HAROLD LOCKLEAR: If this is passed, I may
22 be put in jeopardy, and I don't want to do that, and I think Lawrence
23 is very well aware of what it is, and I see no conflict of interest
24 one way or the other.

1 MS. LINDA HAMMONDS: Mr. James Harold, if you'll
2 look under the third "i", under number two there, Council members who
3 are currently serving at the time of enhancement of this amendment
4 are exempt from this section during their current term of office.

5 MR. LARECE HUNT: Madam Chairperson, I am going to
6 agree with Mr. Goolsby, and to use Mr. Lowery's position, being on
7 the board of transportation and I can see this is coming under state
8 law. State law is wider than our present Tribal law. But I, for the
9 life of me, I'm struggling to see the relationship where being on a
10 transportation board is going to interfere with Mr. Lowery serving
11 his duties on this Tribal Council. So, I'm going to agree with Mr.
12 Goolsby, that unless there's a conflict of interest, I cannot support
13 this proposed amendment.

14 MS. LINDA HAMMONDS: Once again, if you look at your
15 reading, it reads, "that no person who holds any office or place of
16 trust, or profit under the United States or any department thereof".
17 I'm hoping that will clarify that some for you, Mr. Larece.

18 MR. LAWRENCE LOCKLEAR: Okay, we have a motion to send
19 a proposed amendment to the election board to put on the November
20 ballot. Since it's coming from committee, a second is not required.
21 Is there any discussion on this issue?

22 MR. GERALD GOOLSBY: Can we not amend it?

23 MS. LINDA HAMMONDS: Mr. Speaker, the body can amend
24 this proposed amendment. It would then go back to the petitioners
25 committee. If they accept any amendments that the

1
2 Tribal government made to their suggestions, then it would go forth
3 from there.

4 MR. GERALD GOOLSBY: Another question. If we amend
5 it, can it successfully goes to ballot, doesn't it go the ballot?

6 MS. LINDA HAMMONDS: This came from a petitioners
7 committee.

8 MR. GERALD GOOLSBY: Do they overrule us? If we amend
9 it and say send this to ballot, doesn't it go to the ballot? Now
10 they can bring another one exactly like this and get people to sign
11 it and bring to the ballot as a choice. If we vote to send it to the
12 ballot, it goes to the ballot?

13 MS. LINDA HAMMONDS: There bringing this forth as an
14 initiative. Okay, so they would have the say so this particular one,
15 Mr. Goolsby.

16 MR. LARECE HUNT: If I may and I'm struggling with
17 this and that's why I need a point of clarification. With the point
18 that Madam Chairperson pointed out, being in a position of trust or
19 profit, is this saying that if Mr. Garth is appointed to the Indian
20 Housing Authority in Fayetteville, that he's not getting paid for
21 that, will that allow him to still do that or he's not able to do
22 because he's a member of the Tribal Council. Point of clarification.

23 MS. LINDA HAMMONDS: The question was if an individual
24 is appointed to a position and he or she is not getting paid for it,
25 whether or not there is a particular conflict of interest. I believe

1 it was the intent of the petitioners, Mr. Larece, that that be
2 the case. But, once again, when you look at the third "i" there,
3 when you're talking about intertribal government appointees and
4 elections or where there's a combination. The Tribal Council writes
5 law or has a law in place that provides for that exception.

6 MR. LAWRENCE LOCKLEAR: I saw Ms. Wendy, then Mr.
7 Welford.

8 MS. WENDY MOORE-GRAHAM: Since there's so much
9 discussion about this issue, I would suggest for those of you who
10 have a problem with this particular amendment, be at the next
11 constitution assembly meeting to discuss it, because open forum is
12 not the place to hash out committee issues, so let us, -- I'll make a
13 motion in the form of sending the amendment back to the constitution
14 assembly with those who were present who have questioned, you should
15 be required to be there. If you're not present, then don't bring
16 your questions up at the next meeting. That's my motion.

17 MR. SANFORD LOCKLEAR: I'll second that, Mr. Lawrence.

18 MS. LINDA HAMMONDS: Mr. Speaker, once again, this is
19 a petition from individuals. This is their feeling and I would
20 entertain if there was any individuals on the petitioners
21
22 committee that would address this body at this time, that will make a
23 statement. Excuse me, we'll let Mr. Welford go first.

24 MR. WELFORD CLARK: Mr. Speaker, if I understood Mr.
25 Larece's concern and Mr. Goolsby's concern, I think in that Section D

1 in the third "i", I think the last 4 words in that paragraph
2 answers their questions. And I'll read it, Mr. Larece, "No person
3 shall hold concurrently any two or more appointed offices or places
4 of trust or profit or any combination of elected and appointed
5 offices or places of trust or profit in this Tribal government. It
6 has nothing to do with the state of North Carolina, or the county of
7 Robeson or the city of Pembroke. I'm reading this that it
8 specifically addresses in the Tribal government such as a person who
9 is, -- we can't have someone serving on the Tribal Council and
10 election board. Okay. Just wouldn't work, you know, and those last
11 4 words there, it specifically addresses this as two offices within
12 this Tribal government.

13 MS. LINDA HAMMONDS: Right, I believe there's some
14 members of the petitioners committee, if they would address this
15 issue for us.

16 MR. EDDIE LOCKLEAR: I'll speak on behalf of the
17 petitioners committee. My name is Eddie Locklear. I live in
18 District 3, and we struggled with the same concerns that you have.
19 And we appreciate all of your comments and your concerns, but we are
20 trying to come up with some way that we could represent that the
21 Tribal government is your highest priority, that there is nothing
22 else more important to you as a Tribal Council member than
23 representing the interest of the Lumbee people. Now, we could argue
24 and discuss rather it's taking away my individual rights, but if I'm
25 giving up that I'm going to represent the Lumbee people then I think

1 I would follow that oath. And if that means I can't serve on
2 one of the governs appointed positions or supposed to be on a board,
3 so be it. Maybe I'll serve when get off the Tribal Council. So,
4 when we started trying to identify, articulate the specific role that
5 you could or could not serve, became very problematic for us. We
6 thought about this example and this example, would be certainly a
7 conflict of interest, and some other examples that may not. So, we
8 even got to the point do we name the specific example in the
9 constitution and we didn't think that was legitimate as well. So, we
10 were trying to stress to you as a Tribal Council the importance of
11 your role, which we do respect and we appreciate your service, but we
12 feel that if you'll involved in other activities, there may or may
13 not be a conflict of interest. It may put you in a very bad place
14 trying to decide do I represent the Tribal government today or do I
15 represent the board of directors that I'm serving on. So, we were
16 trying to just clean it up during your term of service, that you will
17 not have to worry about your allegiance to the board that your
18 serving on or your allegiance to the Tribal Council. I feel since
19 I've been involved in this work that you have one of the most
20 important positions among the Lumbee people, and personally, if I
21 ever had the chance to serve in your capacity, the Lumbee people
22 would be my number one priority, and that's the reason I served on
23 this committee, that's the reason we would like to represent to you
24 that we understand your concern, we wrestled with the same concern
25 over 3 or 4 committee meetings, but when all was said and done, it

1 was sent to the constitution committee, this is the language we
2 thought would address our concern of conflict of interest and also
3 too much power in one position. Any questions?

4 MR. SANFORD LOCKLEAR: I feel like some of the things
5 affect a few of us, but I feel like, -- I can't serve on another
6 board, they're telling me what I can't do and I'm my own man. I can
7 serve on this board, I can serve on another board and do just as good
8 on this board as I can that board. I don't have to be on this Tribal
9 Council every day and every night. I got day meetings and I got
10 night meetings. When I can't do some of the things I want to do, I
11 don't need to be on because they're ruling me and if a man can't
12 handle 2 or 3 meetings, he don't need to be on the Tribal Council no
13 way.

14 MR. EDDIE LOCKLEAR: In response to your concerns,
15 it's not a matter of time commitment, it's not a matter or whether
16 you're at this meeting today or another meeting next week, it's a
17 matter if you're at a meeting next week and they're making some
18 decisions that's going to impact your role as a Lumbee Tribal Council
19 member, then I that puts you, I think, in a different place and I'm
20 not saying that you can't serve on multiple roles, I know you're very
21 capable on serving on multiple roles, but I serve in capacities
22 during my career that preventing me from other things. And I had to
23 make a decision whether I would serve in the capacity I was in or go
24 do something else, and quite frankly, it's a matter or priority, and
25 that's the way I see it, as a Tribal Council member, you have a right

1 to decide where you like to serve. But it's not so much how
2 much time you have, it's a matter of if you are on a board or another
3 position and there was a conflict, we would like to say that we would
4 like the Lumbee Tribal government to be represented at all times, no
5 matter what board you're serving on and if there's a conflict of
6 interest, then we think it would put you in a difficult place.

7 MR. LAWRENCE LOCKLEAR: Any more questions?

8 MR. GERALD GOOLSBY: My question is, was the committee
9 open to modifying the "i" to add conflict of interest. Would the
10 committee be open to that because on the telephone calls that I've
11 had concerning this everybody, for the most part, everybody that I've
12 talked to said the committee expected it to be weak somewhat and that
13 was my concern with everybody on the telephone and that's the only
14 thing. If that was added to "i", I could support it. If it's not
15 added to it, I can't support it. I'll just be honest. The bills
16 have to be paid and if I'm an educator and I'm asked to serve on some
17 kind of educator board, well the bills have to be paid and that's
18 where I get my bills from. I have to be able to do that. And that's
19 where I'm at on this. If that could be added, I'll be glad to
20 support it.

21 MR. EDDIE LOCKLEAR: Mr. Goolsby, I appreciate your
22 concern about the addition of conflict of interest, and as I sit here
23 and listen I was trying to process as to what would be the best
24 approach. My only concern and I'll return the question back to you,
25 who would determine who had a conflict of interest?

1 MR. GERALD GOOLSBY: The Council.

2 MR. EDDIE LOCKLEAR: The Council. And, so, speaking
3 on my behalf, you know, there's two other petition committee members
4 here that can speak as well. I certainly can't represent the 35
5 people that attended the meeting where this was presented. But my
6 personal opinion, well let me ask Ms. Louise and Mr. Sam what they
7 think first. My personal opinion is if we can define who defines
8 what conflict of interest is, I would not have a problem personally.
9 That's just me speaking on my behalf, not representing the committee
10 or the people who came to the meeting. I would not have a problem
11 with it being added personally. Ms. Louise, Mr. Sam.

12 MR. SAM: I specifically, from my perceptive,
13 (inaudible as he was in the back of the room speaking without a mic)
14 so you could avoid the concentration of power in the hands of a few
15 Lumbees. Historically over the last 35 to 30 years and had a few
16 people basically who were on multiple boards, in elected positions,
17 appointed positions, and the concentrated power in decision making.
18 My personal perceptive, there needs to be some kind of
19 decentralization, if you will, decision making power because there
20 are a number of people out there that are just as capable of making
21 decisions that serve on various boards as anybody else is. So, it's
22 not reserved to any particular persons. In my own position, --
23 (inaudible) members of the committee, is that Monday nights should
24 be left alone. If you put conflict of interest in there, like Mr.
25 Eddie said, who makes that determination, -- the Council. Well the

1 committee is in place, --(inaudible, again, he was soft spoken,
2 speaking from the back of the room without a mic) - more clearly
3 defines some of the issues of this Tribal Council has been wrestling
4 with concerning what someone said over here, I think Mr. Lowery said,
5 that budget provision there was clear because it implied one of the
6 provisions that we suggested here. But it seems that a lot of
7 people, basically, did not interpret that to mean that, I mean, I
8 read it, but I thought that, that first of all, there need to be more
9 specificity so they'd be no question and the Supreme Court could say,
10 it's not in the constitution and so therefore it's unconstitutional.
11 So, the idea was put it in the constitution very clear and concise so
12 they'd be no question. So, I would in opposition to adding "conflict
13 of interest" as the Council is suggesting.

14
15 MS. LOUISE MITCHELL: I also would be opposition of it
16 too, and one of the things looking in the constitution under Article
17 Nine, Duties of Loyalty, it says, "Every elected and appointed Tribal
18 official empowered herein shall affirm upon taking office that he or
19 she will abide by this Constitution and the laws of the Lumbee Tribe
20 of North Carolina and will, to the best of his or her ability,
21 perform his or her duties with undivided loyalty to the Lumbee Tribe
22 of North Carolina". So, putting that in there, I think what we have
23 is good. I've been part of the constitution for many years and going
24 into public from Greensboro to Charlotte to Robeson County, and this
25 particular issue has been a controversial issue for a long time, but

1 the majority, and I can give you paperwork on it, where the
2 majority of the people voted at those times, that this particular
3 amendment or should have been in the constitution and it was at one
4 time. But it was not put in the new constitution, it had to rewrite.
5 So, I think it needs to come before the people for a vote and I stand
6 for what's there now.

7 MR. JOHN LOWERY: Mr. Eddie, I feel like if you would
8 put "except as the Tribal Council shall provide by tribal law" at the
9 end of "D" "iii", I feel that automatically opens up a loophole for
10 us a Tribal Council to allow ourselves to still serve wherever we want
11 to serve. And if I was standing in your shoes, and I understand what
12 y'all are saying, just like I said, I commend y'all, but that seems
13 like to me we'll going to open up a loophole for ourselves as in if I
14 want to serve on some board, I just have to come to this Council and
15 say, look, I want to serve on so and so, will y'all vote to affirm
16 me, you know, as tribal law. So, I would like to see that totally
17 taken out.

18 MR. EDDIE LOCKLEAR: You're suggesting to delete
19 "except as the Tribal Council shall provide by tribal law".

20 MR. JOHN LOWERY: Yes, sir.

21 MR. EDDIE LOCKLEAR: You're saying, delete that.

22 MR. JOHN LOWERY: Yeah, I think it provides a loophole
23 for us as Council members.

24 MR. EDDIE LOCKLEAR: I tend to agree with you on that.

1 MR. WELFORD CLARK: Let me restate briefly what I
2 said, Mr. Lowery, my friend here. The difference in "D i" and "D
3 iii" is this. Mr. Larece was speaking about serving on the
4 transportation board and UNCP. The difference in those 2 statements,
5 is this. The "i" specifically refers to as being filled by election
6 of the people. Whereas, "iii" is in reference to elected and
7 appointed within the Tribal government, so there's distinctive
8 difference in the two. There's nothing there that would prohibit
9 someone from serving if the governor appointed you to the board of
10 trustees at UNCP. There's nothing in here that would prohibit anyone
11 or the department of transportation, because that is speaking of an
12 elected office rather than an appointed office.

13 MR. JAMES HAROLD LOCKLEAR: We dealt with this a few
14 months ago, we dealt with this same issue a few months ago. We had a
15 little problem with it and the Council settled themselves with the
16 person involved.

17 MS. LINDA HAMMONDS: Mr. James Harold, that was
18 settled exactly as you're stating under the third "i" there and I
19 believe some differences here on what Mr. John Lowery was stating and
20 what Mr. Eddie Locklear was stating; is that correct?

21 MR. EDDIE LOCKLEAR: Yes, we're conferred back here
22 and we agree with the "iii", "except as the Tribal Council shall
23 provide by tribal law". We agree to leave that in place.

24 MS. DANITA LOCKLEAR: I wanted to address the conflict
25 of interest. Mr. Goolsby had brought up that he would support it if

1 we would agree to put a conflict of interest clause in there,
2 but then we would be the deciding factor on that conflict of
3 interest. I would have a major problem with that. We, and when I
4 say we, the Council, the Tribal Council itself has had a problem when
5 it concerns conflict of interest. We've had problems with getting
6 our own ordinances past. And so I would have a major issue that it
7 coming back before us and we decide as to whether or not it would be
8 a conflict of interest because that would be from personal point of
9 view of individuals and I could never support the fact that it would
10 have to come before us to decide whether or not it was a conflict of
11 interest, because

12
13 we've had too many problems in the past of us deciding. It becomes a
14 personal point of view.

15 MR. WELDFOR CLARK: Mr. Speaker, I want to call for a
16 point of order that the time limit for debate has long since been
17 left. Members have used more than their 2 opportunities to speak and
18 address.

19 MS. LINDA HAMMONDS: Mr. Speaker, thank you, Mr.
20 Welford. Mr. Speaker, according to proposed amendment number two as
21 written on the handout that you have "except as the Tribal Council
22 shall provide by tribal ordinances", we're bringing it to a vote of
23 the body.

24 MR. LAWRENCE LOCKLEAR: Okay, Ms. Wendy has elected to
25 withdraw her motion, so the motion on the floor is to send proposed

1 amendment two to the elections board to be place don the
2 November ballots. Since this is coming from committee, no second is
3 required, Ms. Wendy.

4 MS. WENDY MOORE-GRAHAM: Roll call.

5 Larece Hunt: Yes.

6 Sharon Hunt: Yes.

7 Gerald Goolsby: No.

8 Pam Spaulding: Yes.

9 Sanford Locklear: No.

10 John Lowery: No.

11 Lawrence Locklear: Yes.

12 Frances Chavis: Abstain.

13 Joel Garth Locklear: Yes.

14 James Harold Locklear: No.

15 Wendy Moore-Graham: Yes.

16 Jerl Locklear: Yes.

17 Linda Hammonds: Yes.

18 Richard Locklear: Yes.

19 Danita Locklear: Yes.

20 Shelley Strickland: Yes.

21 Ricky Burnett: Yes.

22 Welford Clark: Yes.

23 MS. WENDY MOORE-GRAHAM: 13 yeas, 4 no's and one
24 abstain.

1 MR. LAWRENCE LOCKLEAR: Okay. The vote is 13
2 yeas and four no's and one abstention. So, the motion fails because
3 a two-thirds vote is required. That's 14 votes.

4 MR. WELFORD CLARK: I would call the Speaker in to
5 question. It's not 14 votes of the complete Tribal Council, it's 14
6 - it's two-thirds of those who were present and voted for it, not of
7 the whole council. So, there were 18 votes and -

8 MR. LAWRENCE LOCKLEAR: Okay, Mr. Welford, I was
9 thinking of something else. My fault, Okay. So, there's 18 -
10 yeah, I'm sorry. Thank you, Mr. Welford for that clarification.
11 Again, there's 18 present and the vote total again was 13 yeas, 4
12 no's and 1 abstention and two-thirds vote is achieved. So, the
13 second motion is approved.

14 MR. WELFORD CLARK: Another point of order, Mr.
15 Speaker. I would ask the Speaker to let's be more attentive to
16 adhere to the time limit on debate, and the number of times the
17 member may speak regarding each motion.

18 MS. LINDA HAMMONDS: Thank you, Mr. Welford. This is
19 proposed amendment number three. And, since this is going to apply -
20 thank you, -- and since proposed amendment number two applies to
21 those of us who are seated here at this body, proposed amendment
22 number three would apply to the chairperson, which is on the
23 executive side of the tribal government. The same rules apply, the
24 same discussion applies. Therefore, Mr. Speaker, there being no

1 discussion, I bring this to a vote of the body also, proposed
2 amendment number three.

3 MR. LAWRENCE LOCKLEAR: Okay. We have a motion to
4 send the proposed amendment three to the election board to place on
5 the November ballot. A second is not required. Is there any
6 discussion?

7 MR. JOEL GARTH LOCKLEAR: Call for the question.

8 MS. WENDY MOORE-GRAHAM: Roll call.

9 Larece Hunt: Yes.

10 Sharon Hunt: Yes.

11 Gerald Goolsby: No.

12 Pam Spaulding: Yes.

13 Sanford Locklear: No.

14 John Lowery: No.

15 Frances Chavis: Yes.

16 Lawrence Locklear: Yes.

17 Joel Garth Locklear: Yes.

18 James Harold Locklear: No.

19 Wendy Moore-Graham: Yes.

20 Jerl Locklear: Yes.

21 Linda Hammonds: Yes.

22 Richard Locklear: Yes.

23 Danita Locklear: Yes.

24 Shelley Strickland: Yes.

25 Ricky Burnett: Yes.

1 Welford Clark: Yes.

2 MR. LAWRENCE LOCKLEAR: I think I'll get it right this
3 time. We had 15 yeas and three nays. So, the proposed amendment
4 will be sent to election board to be placed on the ballot and the
5 motion carries.

6 MS. LINDA HAMMONDS: Mr. Speaker, we bring to you
7 proposed amendment number four. This is a new article that will be
8 added to the constitution, the article title "Impeachment of
9 Appointed and/or Confirmed Officials".

10 As you can note, on the overhead above, this is the
11 document. It lays out a process in which those individuals that are
12 appointed and/or confirmed under the constitution by the legislative
13 body, the tribal government, a means or method in which those
14 individuals could be impeached.

15 To clarify, on the past amendment, amendment number
16 three, there was 14 yes and 4 no on that particular one. We now have
17 before you the proposed amendment number four. We will entertain
18 questions and comments from the body.

19 MR. LAWRENCE LOCKLEAR: Okay. Are there any questions
20 or comments? Mr. John.

21 MR. JOHN LOWERY: I do agree that there needs to
22 definitely be an impeachment process in the constitution. But, I
23 have one major problem, which I have discussed with Mr. Lawrence, Mr.
24 Welford and others. It is on part 4b. It says, "Upon submission to
25 tribal council of petition signed by three tribal members stating

1 cause of action for impeachment, it shall be the duty of the
2 tribal council within 10 business days to appoint a commission by
3 some means of chance consisting of 7 council members to investigate
4 and determine the validity of the charges".

5 Now, my biggest concern is that number three. And the
6 reason is because that's a small -- that's only three people. You
7 only need three people to start the impeachment process, three
8 people. And I believe -- and Mr. Lawrence, I've told you this and
9 others -- I believe that once this impeachment process starts, I
10 think you has a chance to go around and around and around and around.
11 And that scares me, that scares me. As somebody who teaches the
12 constitution to children, it scares me, because I see us getting into
13 the -- into a situation where we can have the whole tribal Supreme
14 Court being impeached at the same time. And even though that sounds
15 far-out, it can happen. It can happen. And I think that we
16 definitely need to - you know - if that number three can be lifted up
17 higher, then maybe we can work with this. But, as far as this
18 stands, I cannot - three people, that's just - -

19 MR. JERL LOCKLEAR: Mr. Speaker, I do have a problem
20 with that number. I was thinking at least five or either wise seven.
21 I think we need to - you got seven with the other --

22 MR. WELFORD CLARK: One day, Jesus was talking to the
23 Pharisees. He was, and he told them that he didn't come to destroy
24 the law, but to fulfill the law. Well, in the law, God told Moses
25 that out of the mouth of two or three witnesses, the truth is

1 established. Now, if you're riding down the road - - and I told
2 Mr. John this today - and you see somebody throw a stick of dynamite
3 out their car window, right, and you're the only person that sees it,
4 does that mean that you can't go to the magistrate and seek to have
5 charges brought because only you saw it?

6 Things may happen when there may be only one or two
7 witnesses who are aware of the wrongdoing. So, in my opinion, three
8 is too large a number. I think any person, any one person should
9 have that right to do that. And remember this, there is a long and a
10 cumbersome, a tedious process from accusation to impeachment. We
11 have to bring them - those charges, we pick from amongst us a council
12 of seven people and whatever kind of majority is established in that.
13 And it could be a five-two requirement. Then it has to come back
14 then to the council.

15 We could make out a two-third or a three-quarter
16 requirement, whatever we want to. There are a lot of hoops to go
17 through. So, a lot of wrongdoing can get pushed under the table
18 simply because there wasn't a crowd watching. And not too many
19 people mess up when a crowd's watching. They pretty well behave in a
20 crowd.

21 MR. SANFORD LOCKLEAR: And two people, brother, it's
22 just one man against the other. Remember that, one's word is as good
23 as the other.

24 MS. LINDA HAMMONDS: To address how the petitioners
25 committee and the constitution committee used the number three and

1 how that came about, because that is - throughout the
2 constitution consistent with petitioner's committees. It starts with
3 a body of three, whether it be a recall, whether it be initiative,
4 the referendum. So, rather than going outside those boundaries, once
5 again, stay under the constitution. That's how the number three was
6 decided upon.

7 MR. GERALD GOOLSBY: Question. For clarification, "E"
8 in that same section 4, "the official against whom the articles of
9 impeachment have been served shall be suspended from the exercise of
10 the duties of his or her office during the impeachment proceedings",
11 does that not prove them guilty before they are guilty? Are they
12 innocent until proven guilty? Could they not be served but the -
13 withdraw themselves from the proceedings concerning them. You
14 understand what I'm getting at, they may come out innocent, then they
15 - ever how long it took for them to go through this proceeding.

16 MS. LINDA HAMMONDS: Ms. Wendy?

17 MS. WENDY MOORE-GRAHAM: I'm not exactly sure how
18 everybody does things, but I know that within law enforcement, if an
19 officer is suspected by Internal Affairs of doing any wrongdoing,
20 they are suspended and until such time as charges are proved or
21 disproved, then they are brought back in the service or terminated.

22 Now, it has to be - it's up to the body as to what
23 constitutes with pay or without pay and it's the extent of the
24 offense which constitute whether it is suspension with or without
25 pay.

1 MS. LINDA HAMMONDS: Mr. Goolsby, and item J. may
2 help you that. And once again, this is the tribal council. And if
3 you'll notice here, it reads, they shall prescribe the rules and
4 procedures that would be necessary to promulgate the impeachment
5 provisions of this article". So, if you are concerned about the
6 individual being suspended without pay or with pay, then it would be
7 addressed in the rules in the procedures.

8 MR. JAMES HAROLD LOCKLEAR: Ms. Linda, number four -
9 number four, it says, "Due process shall be available to anyone
10 subject to this article". Now, does that mean if these six people -
11 three people bring the charges, does six people rule if they should
12 be impeached? What process - can he - go to court or ask for the
13 court to make a decision on it?

14 MS. LINDA HAMMONDS: Well, Mr. - I'm sorry, Mr.
15 Locklear. If you'll look, you'll notice that once an - once that the
16 petition is brought by the three individuals, then of course, by a
17 method of chance, once again, using terminology within the
18 constitution, the seven council members do the investigation. In
19 item "C" it sets the commission in terms of parameters on time
20 limits.

21 It also gives some parameters - actually defines what
22 are the causes for impeachment. So, that is not left to hearsay of
23 judgment - number D. Again, it is putting parameters on the - the
24 action of the tribal council, how long they have. "E", the official
25 against whom these proceedings have been wrought. "Female", the

1 tribal council shall appoint a prosecutor. The person whom the
2 impeachment process has been brought against also is able to have a
3 prosecutor - excuse me - a defense, rather. Okay?

4 And then number "G", they present the evidence in the
5 trial. "H", the two-thirds. Number "I", again, enacting a tribal
6 ordinance governing disqualifications from future elected, appointed
7 and/or confirmed tribal offices. And number J, as we stated here.

8 MR. LAWRENCE LOCKLEAR: Is there anybody else, before
9 I recognize Mr. John, who hasn't spoken already?

10 MR. JOHN LOWERY: I would like for this council to
11 look at 1A and put the legislative branch in there instead of the
12 judicial branch. Now, if this council - because this could easily be
13 brought before us to, you know - you know there is already is a
14 recall process, are we willing as a legislative branch to let -- be
15 put into our impeachment process? And are we willing to allow the
16 people to vote on us, you know, as far as putting this in the
17 constitution itself?

18 In other words, would we want this on us - if we had
19 to vote on it, would we vote to put this before the people, the same
20 way that we probably will give it to the people to vote, is the
21 judicial branch tribal elections board. Now, all of us ran for
22 office and only a few of us had the honor of not having to run
23 against anybody. But, I had a hundred and some people voting. So,
24 finding three, you know, to find me doing something wrong - if they
25 looked hard enough, I reckon they could find something.

1 But, one more thing. Mr. Eddie, if I could ask
2 you a question real quick. Does this -- could this be used to
3 impeach a judge on the way they rule on a case or is this just while
4 he's away from ruling? You know, because I'm - I'm afraid that this
5 could easily be used against a judge because he did not vote on a
6 case the way I thought. Am I - am I wrong?

7 MR. EDDIE LOCKLEAR: My understanding is that this
8 sets up a process that if a judge rules in a way that is
9 unconstitutional, you have a recourse. And there is something you
10 can do about that ruling if it's unconstitutional. But, you have to
11 prove that it's unconstitutional in order to impeach that judge.

12 MS. WENDY MOORE-GRAHAM: Okay. For clarification for
13 Mr. Lowery, if you note, the proposed amendment is the impeachment of
14 appointed and/or confirmed officials. It has nothing to do with
15 elected officials, because we already have a recall clause in the
16 constitution that covers elected officials. So, therefore, we have
17 to - there has to be parameters set because we have nothing in place
18 and that's why we're having such a problem now is that we have
19 appointed and/or confirmed officials that the governing body has no
20 jurisdiction over.

21 MR. JOHN LOWERY: Can I say something? Ms. Wendy, I
22 know that and I totally understand that. But, what is to keep a
23 group of people from bringing to us a proposed amendment to do the
24 same thing to us? There's nothing. There's nothing that would keep
25 them from writing an amendment, bringing before us so that we can put

1 our own selves on here. There's nothing to do that, even though
2 there is a recall already in here. That's all I'm saying.

3 MR. GERALD GOOLSBY: Question, "1C", under confirmed
4 officials. Does that include tribal administrator?

5 MS. LINDA HAMMONDS: Yes, it would.

6 MR. GERALD GOOLSBY: Doesn't the constitution already
7 outline the tribal administration - the tribal council or is this -
8 "shall nominate tribal administration subject to confirmation by the
9 tribal council or its designees, the tribal administrator can be
10 removed by the same process".

11 Is that already covered with the administrator?

12 MS. LINDA HAMMONDS: If - yes. That would - actually,
13 that part still stays in the constitution, Mr. Goolsby. If you'll
14 look at your constitution right now, with that particular section,
15 the executive side as well as the legislative side is at a standstill
16 in terms of removing anyone from a position. The only people in this
17 constitution that, right now, can be removed is the tribal council
18 and the tribal chairman. All this article is doing is providing,
19 both, for the tribal executive side as well as the legislative side a
20 method in which you can come to a point where there is no deadlock.
21 But, now, again all this has to do with a just-cause hearing.

22 MR. GERALD GOOLSBY: Yeah, and I responded to that
23 because I have no problem with this because we ran into a major
24 issue. But, the only thing I have is - the administrator and he's a
25 contracted employee of the tribe. And if you terminate

1
2 him through this, we've got a financial obligation with the contract.
3 And that's - I don't want to get into that -- .

4 MS. LINDA HAMMONDS: And I understand. Once again,
5 nowhere in the constitution does it say that you write a contract for
6 the administrator. Look at it. Let me finish, sir.

7 So - so, I certainly don't see - foresee that you're
8 going to be trying to impeach the administrator between now and April
9 or March or whenever the new contract comes before the Tribal
10 Council.

11 MR. LAWRENCE LOCKLEAR: Okay. Mr. Richard, and that's
12 the last and then we will vote.

13 MR. RICHARD LOCKLEAR: In "4a", where it says,
14 becoming incapable of performing his or her duties", is that sickness
15 or the laws finally catch up with me or which one?

16 MS. LINDA HAMMONDS: Well, actually, I'm going to go
17 back to the contract that has been written, sir. That is language
18 that this Council has accepted as - as legal terminology and - and
19 it's being used.

20 And, again - once again, the - the Tribal Council
21 would be more definitive in their procedures and process as to what
22 that actually means, just as we are with the removal.

23 MR. LAWRENCE LOCKLEAR: I have a motion from the
24 constitution committee to send proposed amendment number four to the

1 elections board so that it will be place on the November
2 ballots. Since it's from a committee no second is required.

3 Let's roll call vote, Ms. Wendy.

4 MS. WENDY MOORE-GRAHAM: Roll call.

5 Larece Hunt: Yes.

6 Sharon Hunt: Yes.

7 Gerald Goolsby: Yes.

8 Pam Spaulding: Yes.

9 Sanford Locklear: Yes.

10 John Lowery: No.

11 Lawrence Locklear: Yes.

12 Joel Garth Locklear: Yes.

13 James Harold Locklear: Yes.

14 Wendy Moore-Graham: Yes.

15 Jerl Locklear: Yes.

16 Linda Hammonds: Yes.

17 Richard Locklear: Yes.

18 Danita Locklear: Yes.

19 Shelley Strickland: Yes.

20 Ricky Burnett: Yes.

21 Welford Clark: Yes.

22 MS. WENDY MOORE-GRAHAM: The motion passes.

23 MS. LAWRENCE LOCKLEAR: Okay. By a vote of 17 to one,
24 the motion was carried and - number four to be sent to the election's

1 board to be placed on the November ballot. Please note that Ms.
2 Pam left at 8:15.

3
4 MS. LINDA HAMMONDS: Mr. Speaker, in the packet of
5 information that was sent to the tribal council members, this is an
6 old one, but we're bringing it back to you again; not because it's
7 been voted on, but -

8 Please, look in your packet, the one on Program
9 Authorization.

10 MR. LARECE HUNT: Madame Chairperson.

11 MS. LINDA HAMMONDS: Yes, sir?

12 MR. LARECE HUNT: If I might, I want to address the
13 petition page. You know, I did not take this as a threat with you
14 guys getting involved, but I see it as being a part of this
15 government, we serve you, we serve others out there like you that
16 have not stepped up to the plate yet. And you are to be commended
17 for this. Stay involved with your government. My term is over in
18 December, but I hope that I'll be joining your committee.

19 Ms. Louise, former council member, you have an
20 obligation to keep us informed so we can make wise decisions that
21 affect you folks back out there where the rubber meets the road. You
22 are to be commended. Thank you.

23 MS. LINDA HAMMONDS: Mr. Speaker, there is an
24 ordinance that you have in your packet and it is a 3-page document, I
25 believe. It's called Program Authorization. It simply puts into

1 place the processes for which we will apply and authorize
2 various programs, whether it be, as you notice on page two, Section
3 1, Authorization of Programs, the kind of programs that our
4 government will be looking for, social development down through
5 resource development. It is simply an inception putting in place the
6 program should include the following provisions, that is authorize
7 activities and target populations. If you all recall, Mr. Jerl
8 Locklear wit the economic development committee came to us about the
9 ANA grant and we had a resolution on it. And all this is doing is
10 simply saying, in the future, those individuals or committees or the
11 government that's applying for programs will follow the ordinance
12 here. It's a very basic, very simple ordinance. If you look at the
13 very bottom, and we're gonna have to start trying to do some color
14 coding here, that will help us tremendously when we send these out.

15 MR. WELFORD CLARK: On the fourth "whereas", just a
16 grammatical correction on that last line, it says, "for meeting the
17 purposes, for which instead of for with"; would that be correct?

18 MS. LINDA HAMMONDS: That is correct.

19 MR. WELFORD CLARK: Number seven, the 7th whereas, the
20 second last one from the bottom I want to put forth an amendment
21 here. It says, "whereas the Lumbee Tribe of North Carolina shall
22 avoid programs that overlap with services and programs available from
23 other governments or non-governmental entities to ensure the best
24 use", I'd like to offer an amendment that we insert after "avoid",
25 comma then the phrase "to the greatest extent possible", programs

1 that overlap, and in particular the first thing that comes to my
2 mind is the veterans program. Because there is a veterans service
3 office in the county and that's another government program and as it
4 is written, then, it would not allow us to continue to do the service
5 for veterans we do. So, I'd like to offer that as an amendment, and
6 one other issue I have with it on Section I, on the back, four, and
7 excuse me if sounds like a little dig to my friends who I met the
8 other night at the constitution committee when we were discussing,
9 rather the housing committee when we were discussion the IHP. It
10 says, where it says "community infrastructure, the development of
11 quality housing, utilities, transportation, those of you who were
12 will know why I'm saying it this way, and other needs to provide a
13 healthy and safe physical environment", if we're going to in the IHP
14 eliminate any references to transportation services, then I think we
15 should eliminate that in here as well. If we're concerned about
16 liabilities, then we should be consistently concerned about
17 liabilities.

18 MS. LINDA HAMMONDS: I certainly understand, Mr.
19 Welford, where you're coming from on that particular issues as it
20 relates to the Indian Housing Plan, but in Section 1, this particular
21 section says that "the Tribal Council shall authorize programs that
22 would deal with the transportation as far as that is concerned,
23 however it would have to be those, again, the same type of programs
24 where that the liability was not substantial to the Tribal

1 government. That's the way I understand it, but I understand
2 where you're coming from too.

3 MR. WELFORD CLARK: I'm not asking any action there,
4 but I am offering an amendment to amend that seventh "whereas", to
5 insert that one sentence, "to the greatest extent possible".

6 MS. LINDA HAMMONDS: Mr. Welford has made 2
7 recommendations and I certainly I think we could all concur with
8 that, on page one, a grammatical where the word "with" should be
9 "which" in the fourth whereas, last line, "meeting the purpose for
10 which they have been authorized", that is on the fourth whereas, last
11 sentence, and moving on down, very quickly, the second whereas from
12 the bottom probably will be the best way to identify this, "The
13 Lumbee Tribe of North Carolina shall avoid, to the greatest extent
14 possible, programs that overlap, etc., etc.". Okay. That being said
15 and no other comments, questions or concerns about this ordinance,
16 the constitution committee brings this for adoption.

17 MR. LAWRENCE LOCKLEAR: So, a motion from the
18 constitution committee to accept the ordinance entitled "Program
19 Evaluation and Evaluation Ordinance" with two changes from Mr.
20 Welford. Is there any discussion on this ordinance?

21 MR. JOEL GARTH LOCKLEAR: Yes, down there where "other
22 programs that are eligible government programs", are you talking
23 about specifically veterans programs that we're operating were we
24 have services that helping provide and some of them wasn't available
25 in other government, Robeson County, North Carolina, federal

1 government, where our veterans are getting better service than
2 they were getting there, is that going to rule out that program for
3 the veterans?

4 MR. LAWRENCE LOCKLEAR: No, that's the reason why Mr.
5 Welford added to the greatest extent possible so we could offer those
6 -

7 MR. JOEL GARTH LOCKLEAR: So, you're looking for a way
8 to rule out the veterans?

9 MR. LAWRENCE LOCKLEAR: No, no, no. Adding that so
10 that we could offer the program. The reason that was put in so that
11 we can offer programs like that, like for the veterans. So, we can
12 offer. Any other questions or comments? Okay, hearing no questions
13 or comments, since it's legislation, Ms. Wendy, roll call vote.

14 MS. WENDY MOORE-GRAHAM: Roll call.

15 Larece Hunt: Yes.

16 Sharon Hunt: Yes.

17 Gerald Goolsby asked that he be called at a later
18 time, he had to be excused. He'll be right back.

19 Sanford Locklear: Yes.

20 John Lowery: Yes.

21 Frances Chavis: Yes.

22 Lawrence Locklear: Yes.

23 Joel Garth Locklear: Okay.

24 James Harold Locklear: Yes.

25 Wendy Moore-Graham: Yes.

1 Jerl Locklear: Yes.
2 Linda Hammonds: Yes.
3 Richard Locklear: Yes.
4 Danita Locklear: Yes.
5 Shelley Strickland: Yes.
6 Ricky Burnett: Yes.
7 Welford Clark: Yes.
8 Gerald Goolsby: Yes.

9 MS. LINDA HAMMONDS: Mr. Speaker, that ends the
10 constitution committee report. We'd like to say that next Thursday
11 night is the constitution committee meeting, beginning at 6:390 at
12 the Tribal office.

13 MR. GERALD GOOLSBY: The Tribal enrollment, currently
14 if someone goes to be enrolled and say they live out of state or
15 whatever, they go and apply for enrollment, they prove they're Indian
16 and everything, and given a questionnaire and they fail it. They
17 don't know any leaders, they don't any community, so they fail it and
18 it goes to the Elder's Review and they also go to court. My question
19 for the constitution committee would be to come back with a policy or
20 ordinance or whatever as to when they can reapply. In other words,
21 they moved here and they get connected. They've lost contact but
22 they get reconnected and right now, currently, we don't have any
23 rules as to it relates how long before they can reapply. Another
24 thing I got, on the constitution and I don't want to be the bad
25 horse, but I'd like clarification on it. We had an amendment to the

1 constitution, can we propose by 2/3 vote of the Tribal Council,
2 not members present? If y'all just explain it to me, it's done and
3 did.

4 MS. LINDA HAMMONDS: We went through that veto process
5 before on what is the 2/3 and the distinction there is 2/3 of the
6 seated Tribal Council. Okay, and right now, it does read 2/3 of the
7 Tribal Council. And there is a major difference. A seated Tribal
8 Council member means all 21 members. Two-thirds is, you know,
9 whatever the body is here at the Tribal Council meeting.

10 MR. JOHN LOWERY: I would like to commend Ms. Linda on
11 this resolution. (Inaudible as Mr. Lowery was speaking softly).

12 MS. LINDA HAMMONDS: I appreciate it that, but let me
13 say this, this came from the petitioners committee and all we did was
14 just a littler refining thing.

15 MR. GERALD GOOLSBY: I have just one more word. We've
16 already voted on what we got, but if there's a quorum present, okay,
17 there's 14 people present, so 2/3 of 14 can vote to send something to
18 amend the constitution?

19
20 MS. LINDA HAMMONDS: Based on the constitution, and we
21 had a contention about that previously, Mr. Goolsby.

22 MR. GERALD GOOLSBY: And I'd offer a suggestion to us
23 or the committee to better define that, --

24 MS. LINDA HAMMONDS: As what is constitution and what
25 is seated constitution?

1 MR. GERALD GOOLSBY: Correct. What is a
2 constitutionally seated council.

3 MS. LINDA HAMMONDS: Okay.

4 MR. LAWRENCE LOCKLEAR: If you'll pull out your
5 calendar. The next constitution committee meeting will be next
6 Thursday night at 6:30. You notice on June 22, constitution will be
7 at 6:30, and then if you flip over in July and August, I think I put
8 5:30 also, so change constitution for June, July and August, the time
9 to 6:30. So, on June 22nd, July 13, July 27th, August 10th and August
10 24th, the constitution meets at 6:30. I also wanted to reiterate that
11 the ordinance Program Authorization and Evaluation ordinance, it was
12 approved by a vote of 17 yeas and zero nays.

13 MR. WELFORD CLARK: Mr. Speaker, I'd like to offer a
14 motion to reconsider the motion that was taken regarding the agenda,
15 in specific, we have with us tonight, who's driven some distance to
16 be down here to address us for 3 or 4 or 5 minute space of time, Dr.
17 David Griffin who is the Director of the Second Harvest Food Bank of
18 Southeast North Carolina in Fayetteville. For those of you involved
19 in food bank work in our communities and services grant that the
20 Tribe gives, so rather than have him wait to go through all of these
21 protracted committee meetings, I'd like to give him his opportunity
22 to be heard now. So, I'm offering that as a motion.

23 MR. LAWRENCE LOCKLEAR: Is there any objection to Mr.
24 Welford's request.

1 MR. LARECE HUNT: We delayed this not knowing
2 that the first report would last two hours and health and human
3 resources also has a person that have waited, and all of our folks
4 are here too, so I would ask that my move be coupled with Mr. Welford
5 and hear our presenters.

6 MR. LAWRENCE LOCKLEAR: So, we are going to move on
7 the agenda - let's take a break after these gentlemen speak.

8 MR. WELFORD CLARK: His name is David Griffin.

9 MR. LAWRENCE LOCKLEAR: So, what we're gonna do is
10 where we have Second Harvest Food Bank of North Carolina, we are
11 going to move that after the constitution and ordinance committee
12 report and then immediately proceeding that, we'll have -

13 MR. LARECE HUNT: Let's take a break because my
14 presenters needs to set up.

15 MR. LAWRENCE LOCKLEAR: So, we'll take a break after
16 Mr. Griffin presents. Does that sound okay to everyone.

17 MR. DAVID GRIFFIN: I promise not to be long. Again,
18 my name is David Griffin, I'm the food bank director. We're located
19 in Fayetteville, North Carolina, currently a member of Second
20 Harvest, American Food Bank network. Also, affiliate of Cumberland
21 Community Action Program, Fayetteville, North Carolina. Currently
22 serving 7 counties, Bladen, Cumberland, Dublin, Harnett, Hoke,
23 Robeson and Sampson. Also with agencies in Scotland and Columbus
24 County. This is a great opportunity for me to tell you about some of
25 the programs that we're running. There is no greater need than here

1 in Robeson County. As I looked at the 2000 census, the state
2 poverty level was 12.9%, and Robeson County is 21% and it continues
3 to rise. So, we have a need here for us to get the necessary food
4 and items. And what I need for the Council members and those
5 present, if you know someone in business or you know someone who
6 wants to volunteer time, tell them to come to us because we are
7 trying to help feed the hungry in the neighborhood, Red Springs,
8 Maxton, Pembroke, we have agencies here. There is a dire need for
9 people when they are hungry, they lose their dreams, lose their
10 aspirations, they lose their goals in trying to do the things that
11 you all are doing right now. And so some of the ways you can help is
12 always continually keep your people informed of what's going on, as
13 far as the state, federal and local government. Whenever you can
14 help, volunteer your time or your expertise, in helping us reach
15 those. It doesn't have to be in Fayetteville, but it can be right
16 here in Robeson County. Helping people help those in need. The
17 third thing, you can always donate funds, not just to the food bank,
18 to one of our numerous agencies, or you can donate equipment or your
19 services to help those folks out. When I say equipment, I mean
20 freezers, coolers. If we give someone 50 pounds of meat and they
21 don't have anywhere to put it, it's not right. So, I'm going to ask
22 to help those in your community and to help those in your community
23 and help us to help those in your community. If you have any
24 questions, please feel free to ask. (Currently they do not have a
25 website, but should have one by the middle to the end of July. And

1 for any questions call Food Bank at 485-8809 or e-mail at
2 davidtgriffin@nc.rr.com. Brochures was available.)

3 MR. RICKY BURNETT: I have a comment. I'm on the
4 board of directors with David. It's an outstanding program. Our
5 church started to reach people that don't have a lot of money to
6 extend food to, but like he says and being on the board, they need
7 volunteers. If you know somebody that's got a farm and they're
8 willing to donate food, put this food in place. They just lost the
9 Share Program, and we had a meeting and that was the one for about
10 \$15 you got about \$60 worth of food and that has totally been
11 dissolved. We lost that and by no means do we want to see this Food
12 Bank have to go away. If you've never been involved and you hadn't
13 seen the smiling faces on those people who come through that day at
14 that church or some of these host places that have it. Man, it
15 amazing to see the smiles they got on their faces when walking out
16 with that bag of food, but they need volunteers. It's our duty. If
17 the Boys and Girls Club could come up and help out. So, it's an
18 outstanding program, so seriously, I mean, you know, some of us are
19 better off, you know what I'm saying. We can afford to go to Food
20 Lion and things like that and have some of the places that give, Food
21 Lion and different places like that. You know we got some big
22 farmers around.

23 MR. DAVID GRIFFIN: One thing before I let you go, one
24 thing that really shocks me. You have Campbell Soup right in Maxton,
25 North Carolina, right here in Robeson County. One of the things that

1 I came about when we tried to go to Campbell Soup at Maxton,
2 Campbell Soup doesn't give food in Maxton. They send it to Moore
3 County or other counties that's outside the storage area, so those
4 people that are in need don't get the necessary things that Campbell
5 Soup could supply. And so, me as an outsider who is not from down
6 here, I don't know the people at Campbell Soup. I don't know what's
7 going on. So, I need your eyes and your ears to tell them for me or
8 just a call from Mr. Burnett and let me know so I can go to Campbell
9 Soup and say this is wrong. That people in Robeson County deserve
10 better and we want to help them.

11 MR. JAMES HAROLD LOCKLEAR: Our Council, itself, we
12 get food from different places and it is bagged up and carried out so
13 you certainly could be a help to us because we know a lot of people
14 that could use it.

15 MR. DAVID GRIFFIN: I will give you my brochure.
16 Thank you very much for allowing me to be here.

17 MS. WENDY MOORE-GRAHAM: Our church is a member of the
18 Second Harvest Program and it's one thing to talk with people about
19 the love of God, and it's another thing to show them the love of God,
20 and that's what Second Harvest is trying to do. It's hard to talk to
21 somebody about the Lord when they're hungry. And that's what Second
22 Harvest is doing. They're trying to help those in need so that they
23 can see the love of God in motion.

24 MR. DAVID GRIFFIN: Thank you very much.

1 MR. LAWRENCE LOCKLEAR: Thank you, Mr. Griffin.
2 We are going to take a 5-minute break.

3 MS. LOUISE MITCHELL AND MR EDDIE LOCKLEAR appreciates
4 the support on the amendment.

5 - BACK FROM BREAK at 8:50 p.m. -

6 MR. LAWRENCE LOCKLEAR called the meeting back to
7 order. Ms. Frances had abstained on the proposed amendment to the
8 vote on that and she was wondering how the Council would feel if she
9 could change her vote from an abstention? Does anyone have any
10 problems with that? (None heard.)

11 MR. WELFORD CLARK: There's no problem with that in
12 the book.

13 MR. LAWRENCE LOCKLEAR: Ms. Wendy, would you please
14 collect that vote?

15
16 MS. WENDY MOORE-GRAHAM: On amendment two, motion
17 number four, how do you vote, Ms. Frances?

18 MS. FRANCES CHAVIS: Yes.

19 MR. LAWRENCE LOCKLEAR: Okay, the for those of you who
20 are taking notes, please change that for proposed amendment two, the
21 vote is 14 yeas, and 4 nays. Please note that.

22 MR. LARECE HUNT: Mr. Speaker, as a matter of
23 housekeeping and I don't think we officially recognized Ms. Frances.
24 She came in, we gave that chance to vote and we'd like for the
25 records to reflect that she did, -- she came in a 7:23 p.m.

1 MS. WENDY MOORE-GRAHAM: I got it down when you
2 came in, Ms. Frances.

3 MR. LAWRENCE LOCKLEAR: We have a guest presenter.
4 Mr. Larece is going to introduce this gentleman and what he would
5 like for the Council to do is first more out front to get a better
6 view of the screen.

7 Mr. LARECE HUNT: I apologize for this report not
8 having come from directly from the health and human resources
9 committee but we have not met an that's the only reason so I asked
10 that the health and human resources set aside that this report has
11 not come directly from the committee but because of the time
12 constraints and the limitations of what we're approaching, that we
13 ask that Dr. Jack Dunn be permitted to speak before the full Council.
14 He has spoken with the Council somewhere in the last year or so, and
15 then sort of fell through the cracks, and then in the last 4 or 5
16 weeks he has been back in town speaking with Mr. Leon and Mr. James
17 Hardin. And the health and human resources, one of the major issues
18 that came out of that committee at our last meeting was the diabetes
19 and it's effect on American Indians, especially Lumbees. So, Dr.
20 Dunn will do a presentation, guarantee it will not last 2 hours as
21 the constitution report, but we'll be brief and then at that point,
22 we will continue. So, at this time, I present to Dr. Jack Dunn.

23 DR. JACK DUNN: I appreciate you letting me address
24 you in this manner. I will keep my comments brief because I know
25 everybody is getting tired. I am going to try to keep it to about

1 ten minutes. What we are proposing to the Lumbee people is a
2 new way to help with wellness, prevention and try to reduce long term
3 healthcare cost for the individuals and for the Tribe. With the
4 Tribe not being federally recognized, physicians have to pick up the
5 tab for a lot of healthcare expenditures an individual might
6 experience. I made a presentation 5 weeks ago to 10 individuals here
7 in the county, including Ray Little Turtle, Paul Brooks, Mr. Leon,
8 Wanda, April. I want you to know I appreciate everything that I saw
9 tonight. Your Tribe is well represented by each of you. Probably
10 about 30 years ago, this individual is credited to discover how
11 cancer cells work. This particular individual is a consultant. He
12 spent over 20 years doing research. About 30 years ago, give or take
13 5 or 10, there was a warehouse full of medical equipment and Dr.
14 _____ asked for permission and loaded up 3 truckloads of
15 medical equipment and brought it to Pembroke and those pieces of
16 equipment are still being used in your health facility here in town
17 now. He is a very special person to us and to you Tribe. (David
18 Perkins, Director of Native American Affairs, is part of Dr. Dunn's
19 team). What we bring to you is an interactive web site that ties
20 the wellness program together. Those of you that are employed, there
21 is new federally mandated program called Healthy People 20/10 that
22 requires all employers to have a wellness program in place. Our
23 program complies with this. We have two products approved by the FDA
24 and we have an interactive web site that provides an educational web
25 site for the patient but it is designed to foster a relationship

1 between patients and physicians. And to empower the individual
2 to make lifestyle changes that will help reduce their healthcare
3 expenditure. (Dr. Dunn, while waiting to speak with Mr. Brooks
4 spoken with the pharmacist who is seeing more and more patients who
5 are on maximum doses of medications that are not working.) It's
6 total concept of everything tying together to give the individual,
7 not only the power to make the changes, but take the pride in helping
8 not only themselves, but also the Tribe itself. They come up with
9 healthcare solutions that can affect change. (Bracelets are the old
10 way to tell if you're allergic to Penicillin.) What our program does
11 it provides an interactive web site that becomes a mobile medical
12 record for that individual. So, if you're in Washington, D.C. in an
13 appointment meeting, getting the Tribe recognized, and if you have to
14 go the emergency room, with this program, carrying an alert around
15 with you that has wellness report card information and all of a
16 sudden, in less than 60 minutes, thanks to HIPPA protecting your
17 records, the ER doctor can take your PIN number and your password and
18 can access all of your medical records, your medications, your
19 allergies, and a chronological lists of all the different testing
20 that we're doing in our program. There's 27 different tests. In my
21 office, I am a physician in Arkansas and for an individual to do all
22 these tests will cost \$380. What we're proposing to do for the
23 Lumbee people is not only this quarterly testing, in tracking
24 individuals and their family members so that if this group, well let
25 me use this example. In Oklahoma, the Chickasaw have, their

1 federally recognized, they have an Indian Health Service over
2 here and 5 or 6 counties of individuals goes to that facility. They
3 have another facility over here, and the same thing happens here.
4 This individual can go to that health facility and get their medical
5 records through electronic medical records, this one the same way.
6 But if that patient goes out of that area, he can't access his
7 medical records. But with our program, they can access it anywhere
8 in the world. (The program also detects health problems for early
9 intervention and shows some financial aspects of the program and
10 tracking healthcare. The treatment program he is recommending for
11 the Lumbee nation is quarterly testing.) If you go into a physician
12 office and you have a family history of heart trouble, your blood
13 pressure is elevated, you've had a mini stroke, you have early
14 changes of diabetes, your physician is going to recommend testing at
15 intervals. So, he recommends and I recommend that you start off with
16 that big battery of tests, and then at 3 months, you come back and
17 check your blood glucose, your cholesterol and your triglycerides,
18 the good/bad cholesterol at 6 months. All the tests you did to start
19 the program again because it has thyroid function studies in it, and
20 then at 9 months the basic testing system again. In my office, it
21 costs my patients \$1014 for them to participate in that wellness
22 program. And that's what we're proposing all of that testing for the
23 group that we're gonna be talking about. (Dr. Dunn continued his
24 presentation, giving examples of most studied group of Native
25 Americans with all heart related deaths from 1975 to 1984 occurred in

1 those with diabetes. He reported that we had to start somewhere
2 to reduce healthcare costs. He discussed mortality rates, obesity
3 and liver disease, the heart center in Lumberton and heart disease.
4 He then quoted lots of statistics.) So, what we are proposing and
5 the reason for this meeting is because we have an opportunity as
6 company, arranged for funding to pay for this testing for the Tribe
7 members for the next 2 years. What that does, it gives the
8 opportunity for Ben to write the grants, to get the grants to make
9 this self-sustaining over the next 25 years. What we want to do is
10 test every Tribe member regardless of where they at, quarterly for
11 the next 25 years so we can start turning that clock back. The
12 urgency of the meeting is one is that. Two, we have a 6-month window
13 to be able to obtain that funding. Three, we have the homecoming
14 coming up next week so we want to try have a presence at that
15 homecoming to be able to sign members up to participate in this
16 program and this is what the program involves. You're talking about
17 testing the 5-county area to start with. You know those counties.
18 This is the whole premise. Time is our enemy and it keeps slipping
19 away. When we started this program in July 2005 and at the night of
20 that meeting, Chairman Goins, after we made the presentation, he said
21 we had several people that had dropped proposal to the Tribe,
22 including Duke. And at that point, I thought well this is all a
23 stroke, but then he said this was the best program that we've ever
24 had presented to our Tribe. Duke wants to do a research project with
25 Tribal members. This provides an opportunity to be able to get data

1 that they need to do that research project. Not on that, but
2 this program that we're proposing provides jobs. We talked with Mike
3 Cummings, Bruce Swett, The Healing Lodge to try to develop a program
4 where we can go out and help those folks that are in need. When I
5 was here last October, the Chairman assigned me and Ben to spend the
6 day together. The whole concept is ready to write grants. You can't
7 just have a grant, you got to have a game plan. You got to make it
8 sustainable. So, what we came up with was applying for grants for
9 the 15 to 19 year old group and the 20 to 24 age group because the 15
10 to 19 year age group, we can get grants that were sustainable. So,
11 if we can attack these 2 age groups, that's the childbearing age. If
12 we can affect change at this level, which will affect their kids and
13 grandkids to their 40's and 50's. What this timeline does so that
14 you can get the federal grants in place to make this program
15 sustainable. So, the amount of funds that are available for this
16 program will go down as the grant money goes up. The way this
17 program works is, and I'm talking about what's available right now,
18 to provide the funding to pay for this program is a group of
19 investors and I'm talking about big investors, GI Capital, Wells
20 Fargo is funding these programs. A group of investors purchases an
21 insurance policy for, in this case, members of the non-profit, i.e.,
22 members of the Lumbee Indian Tribe. They take a certain percent off
23 the top of that because they're the one putting up the money for the
24 program. They issue an insurance policy, a life insurance policy for
25 each Tribe member. That insurance policy is \$10,000. Our program,

1 we talked about the testing and the wellness program, makes the
2 whole program work because we can give 2 years of testing to the
3 Tribe members for free. And that's how all this works. Now,
4 unfortunately, I'm going to have eat crow because Mr. Leon asked me
5 will patients with HIV be covered with this program. In the last 5
6 weeks they've come out, it's done through Stanford Insurance Company
7 in Arizona and they've come out with these sets of questions and each
8 individual has to answer these questions, and if they answer yes to
9 any of these, then they are excluded from the program. The other
10 exclusion they've come out with since then, if a lady is under 40
11 years old, she can't participate in this program. So, we think
12 there's going to be about 22,000 individuals that will be able to
13 participate in this program. I'm telling you, you got to start
14 somewhere. You got to start turning that clock back, you've got to
15 start somewhere with every member in the Tribe, making a concerted
16 effort not only to track your wellness but be an active part of
17 solving the problem. This is what is coming your way. This is the
18 health facility of the Chickasaw nation. (He continued to reiterate
19 that we've got to start somewhere.) The future of the Lumbee Tribe
20 relies on health data tracking. I am here tonight to ask for 4
21 things. Number one, I need your approval. We need a resolution that
22 the Tribal Council supports this program. Number two, we need a list
23 of all the members of the Tribe, social security numbers and their
24 addresses. The insurance company requires that. One potential
25 solution would be to get the list from the Tribe and use that to send

1 information to the Tribe and have the Tribe member okay giving
2 the social security to the insurance company. The other thing is
3 when we came here 5 weeks ago, we tried to get the Tribe involve in
4 this program and get behind it. There is a fee for the individual, a
5 \$10 application fee and \$25 membership fee to be a member of the non-
6 profit in order to be eligible for the program. So what we proposed
7 to the Tribe was either paying the \$10 application fee or, both,
8 application fee and the membership fee. Mr. Brooks (Paul Brooks)
9 mentioned that perhaps grant money could be obtained from the state
10 to go back and pay the Tribe back for those funds. So, there's
11 options on the table, but what we direly need is a resolution
12 supporting our program and a list so that we can get started. We got
13 a 6-month period that this program has to be put in place or that
14 funding goes away. So, what we're trying to do is buy 2 years of
15 time until grants are put in place and/or federal recognition happens
16 to continue our program on past the 2 years. We got to somewhere and
17 that's why I'm asking for your support tonight. Any questions?

18 MR. JERL LOCKLEAR: The \$25 and \$10, and you said you
19 could obtain the money (inaudible - speaking very softly and sitting
20 out behind the stenographer.)

21 DR. JACK DUNN: We expect there's gonna be 22,000 in
22 the 5-county area that can participate in the program. To start the
23 program, we need minimum of 5,000 to sign up because what we're
24 trying to build into the program is enough money to do the entire
25 wellness program. Not just the laboratory tests and not just the

1 wellness report card and mobile medical record and all that, but
2 what we're trying to do is utilize what's already existing in the
3 community. In your question a while ago about overlapping services,
4 but The Healing Lodge already had phlebotomist. They got 4
5 phlebotomist on their staff. They have nurses that are going to the
6 counties and helping with education programs. So, the game plan is
7 to utilize through individuals and in addition to that, hire nurse
8 practitioners and staff facilities in each county so that they'll
9 have a place to come get their blood drawn and get educational
10 information.

11 MR. GERALD GOOLSBY: You say you got to have 5,000
12 members in that 6-month window?

13 DR. JACK DUNN: We can get 5,000 of you to sign up in
14 2 weeks.

15 MR. GERALD GOOLSBY: And what if you don't get the
16 5,000? Say, you get 2,500.

17 DR. JACK DUNN: 2,500 you can start. You may not be
18 able to do the whole wellness program.

19 (Tribal Council members were sitting in the audience
20 behind and away from the stenographer, making it very difficult to
21 hear what was being said.)

22 DR. JACK DUNN: What we originally thought was the
23 Tribe would make the \$10 application fee to get the program started,
24 and have the Tribal member pay the \$25. Then the discussion turned
25 around and said well, if we pay all the \$35, then we can get grant

1 money, reimburse that and the Tribal member won't have to pay
2 anything.

3
4 MR. JAMES HAROLD LOCKLEAR: You were here before a
5 year ago and presented this information to us and I loved it and I
6 want to see a wellness center here. But I got turned off when I
7 heard this, and I don't want anybody to profit on anything that I do
8 personally. And the word got to me that one person with you in that
9 meeting had made the statement that if we could get this passed, I
10 will never have to work again. Well, I ain't going to vote on
11 nothing like that. But I don't want to see anybody getting a little
12 payback under the table and that kind of stuff. I don't need that
13 kind of work.

14 DR. JACK DUNN: Before Mr. Brooks speaks, one of the
15 concerns that several people have brought up, I'm not singling Mr.
16 Brooks out, because I want to say this up front and before you speak,
17 is that in no way does this take away from the medical community.
18 What your positions have built in the community is extremely
19 important. You should be very very proud of the physicians and I've
20 talked with several of the physicians, Joey Bell, physicians out at
21 Red Springs. What this program was originally designed to do was to
22 foster the relationship between the patient and the physician, to
23 make their time more valuable, to give them information that they
24 could use to send the patient down a path of wellness and be
25 successful.

1 MR. HOWARD BROOKS: I appreciate the severity of
2 diabetes in our community. (Mr. Brooks was in the back of the room
3 making it very difficult to hear him.) , -- \$175,000 to \$190,000
4 technology information, -- get information back on our patients. So,
5 this is something that we are excited about. I'm wondering if there
6 is any kind of way to keep professional medical providers, -- to be a
7 part of this, not someone just coming from the outside, just sort of
8 takes over. I'm not seeing this from a marketing step, -- that's
9 what I'm saying, -- (Again, Mr. Brooks was in the back of the room
10 making it very difficult to understand him.)

11 MR. GERALD GOOLSBY: When do you have to have an
12 answer.

13 DR. JACK DUNN: Well, I'd like to get the resolution
14 while I'm here. I'll be here tomorrow, I have to fly back tomorrow
15 night. But, if that's not possible, then as soon as possible because
16 the reunion is coming next week and we want to know, -- at least want
17 the Tribe's blessing to be able to do the program.

18 MR. GERALD GOOLSBY: You talked mostly about testing.
19 What about treatment, where would funding come from treatment and
20 medication? You got people who don't healthcare. Diabetic
21 medications are very costly. Right you're looking at prevention and
22 testing, but if you're a recognized diabetic, where is the funding
23 coming for the medication?

24 DR. JACK DUNN: In Arkansas, there's assist programs
25 with the major pharmaceutical companies, if you meet their criteria,

1 then they give you the medications for free. At the most, \$15
2 co-pay. So, most individuals could go through that type of program.

3 MR. HOWARD BROOKS: Another thing I noticed too in the
4 insurance program, seems like there are a lot of exceptions in there.

5 (Discussion taking place and questions being asked
6 behind the stenographer that was inaudible.)

7 DR. JACK DUNN: What we got to do is give the people
8 something that they can participate in and empower them to make a
9 change.

10 MR. RICKY BURNETT: My concern is this and I believe
11 if all of us would be honest here, in Lumbee country I guarantee over
12 90% know they will get diabetes. I pastor a church with 270 members.
13 85% of them are diabetic, they're on dialysis, they got something
14 going. So, my thing is like the gentleman down at the end, it's not
15 about identifying do you have diabetes. What are we going to do to
16 try to take it? Give them the medicine that they need and do it that
17 way. They already know. So, to me to come in and to do the tests
18 and you already know. Just like you said, some of them they've had a
19 catheterization, they've had a heart attack, Lord have mercy, how
20 many we have around in our community is already like that, it's not
21 going to be taken care of. We need assistance. We need somebody to
22 get the grant that will say, here's money to buy them the medicine to
23 take care of these people, that they can get well, and move on and do
24 the right thing. Because most of them already know they're diabetic
25 now. Doctors already told them. You need to go on a diet, you need

1 to do this. So, it's like we're re-inventing the wheel. I'm
2 all about helping out people, but I want to get medicine to help my
3 people because they already know.

4 DR. JACK DUNN: The concept, the idea is that you got
5 to help the ones that aren't. You got to keep them from getting to
6 that point. By tracking those individuals you can detect those
7 problems before they become the big problems. You got to have the
8 money to treat them, there's got to be ways for Ben to apply for
9 those grants and maybe this whole big thing that the Lord has put in
10 place is to be able to track the data for Duke so that they can get
11 those kinds of programs placed. I don't know why He lead me to this
12 community, but there's some reason that I'm here. And I firmly
13 believe in the Lord, there's too many things in my life that he's
14 done. And I think it's for a purpose, and I don't -

15 MR. LAWRENCE LOCKLEAR: There are some other issues
16 that we have to address. What I recommend is that we work on this
17 issue, you mentioned a resolution, and work on that in committee
18 between now and Tuesday, prior to Lumbee Homecoming.

19
20
21
22 (Ms. Wendy discussed exploitation. Again, Council
23 members were sitting in the audience away from and behind the
24 stenographer making it very difficult to understand was is being
25 said.)

1 MR. GERALD GOOLSBY: Mr. Speaker, I suggest that
2 we kick this back to the health and human services committee, involve
3 area doctors and bring it back and maybe all the questions can be
4 answered at that time for the sake of time.

5 MR. JERL LOCKLEAR: I'll lesions second.

6 MR. LAWRENCE LOCKLEAR: Let's get started back. How
7 does everyone feel about the 27th, to meet on the 27th. What we can do
8 is discuss more about this. So, the Council will meet on the 27th at
9 6:30, that's a special called meeting, there's a couple of issue and
10 we'll announce what those reasons are going to be before we leave
11 tonight. So, that's Tuesday, June 27th at 6:30.

12 **ECONOMIC DEVELOPMENT**

13 MR. JERL LOCKLEAR: I don't have much tonight. Just
14 to mention, the ANA grant, we won't hear from that until October. On
15 8A Certification to give you an update on it. We got a letter the
16 other day that we have to change 2 words. We had to meet with the
17 board to get those 2 words corrected. We corrected them and we hand-
18 delivered them to Raleigh. We're hoping maybe in the middle of July
19 we're hear from that. We are meeting again July 6th. The committee
20 is Frances Chavis, Linda Hammonds, Gerald Goolsby, Lawrence Locklear,
21 Danita Locklear, John Lowery, Jimmy McNeill, and Wendy Moore.

22 MR. JAMES HAROLD LOCKLEAR: This is just the committee
23 members?

24 MR. JERL LOCKLEAR: Yeah, but I mean you're welcome to
25 come, anybody else. We're meeting on July 6th at 6:30, that's on a

1 Thursday. We didn't get to meet last month so we need to meet
2 this month. We'll see you then.

3 MR. GERALD GOOLSBY: I stand corrected. The ethics
4 committee meeting will be after the economic development meeting on
5 those days.

6 MR. LAWRENCE LOCKLEAR: For ethics, cancel July 10th,
7 that meeting will be on Thursday, July 6th. It's already on the
8 calendar. Thank you, Mr. Gerald.

9 **EDUCATION AND CULTURE**

10 MS. WENDY MOORE-GRAHAM: Okay, in lieu of the fact
11 that we weren't able to meet on May 30th, we met with youth services
12 during their June 5th meeting, and basically it was more of a listen
13 to what's going on rather than our input and us talking. We were
14 there to listen. There were several of us, Ms. Donna Oxendine with
15 the Lumbee Tribe who is part of our education committee. She was
16 there to give a presentation which entailed a youth camp and also
17 tuition wavier. And that is something that we as Council that we
18 really need to look at. Lumbee children can go to Michigan and get
19 an education, but in a state where they are state recognized, they can
20 only get a small stipend. That's an issue for me. But, I'm not
21 going to go into a long detail. In our previous meeting we came up
22 with an ordinance that we would like for you to take into
23 consideration if you feel you are able to adopt it tonight, we ask
24 for your support. This is called the official Tribal seal. And it
25 states a description, the meaning of the seal and it's a very

1 detailed description. It also says in Section 3, official dyes
2 of the seal. Section 4, limitation on the use of, reproduction or
3 impressions. Section 5 contains civil offenses and penalties for use
4 of this seal, and Section 5 deals with the copyright and trademark
5 procurement of the seal. Okay, if you'll look up here at the screen,
6 you'll see 2 different versions of the seal, which we have more than
7 just 2 different versions. If you'll notice we have all kinds of
8 different versions of the seal. What we want to do is establish for
9 all time, one permanent seal that has an intrinsic meaning to the
10 Lumbee people as a whole, and I won't go into reading it because I
11 know we are all astute enough to read what these meanings are. All I
12 ask, you take a look at it, it tells about the medicine wheel, how it
13 is designed and it states the rationale and reasons why this wheel is
14 done as it is done. It is done intrinsically as us Eastern Woodland
15 Indians. Different tribes in different parts of the United States,
16 they change the position and the colors, for us it's Eastern
17 Woodland. This is our standard representation of us, it's
18 distinctive to us. The pine cone patchwork, it consists of 3 layers
19 of black, red, and yellow triangle that represent the pine cone of
20 the pine which is the most prevalent and tallest tree in the land of
21 the Lumbee. The top layer shall be black triangles, while in the
22 second is the red triangle and the bottom is yellow triangle. The
23 red and yellow layers shall each be slightly rotated in a clockwise
24 direction so as not to be directly beneath the previous layer. I'll
25 tell you one thing about the pine tree and the significance of the

1 pine tree to the Lumbee people. What does the pine tree do?

2 The pine tree stands tall and it stands out in a forest, a lot of
3 times, in this land, above all the rest of the trees. We would like
4 to bring it to you for a vote by this Council.

5 MR. LAWRENCE LOCKLEAR: We have a motion from the
6 education and culture committee to adopt the official Tribal seal.
7 Since it's coming from committee, no second is required. Any
8 discussion?

9 MR. LARECE HUNT: Mr. Speaker, I hope that we will put
10 this thing to rest because I've seen different ones with different
11 colors in one place, even when you read the story behind it, the
12 colors didn't match the pin that I had on. So, I'm hoping that this
13 is going to an issue, that we can finally settle this issue with an
14 official seal.

15 MS. WENDY MOORE-GRAHAM: For all time, this is
16 official, if this body so choses.

17
18 MR. LAWRENCE LOCKLEAR: Okay, any more discussion?
19 Okay, since it's legislation, we have to do roll call vote.

20 MS. WENDY MOORE-GRAHAM: Roll call.

21 Larece Hunt: Yes.

22 Sharon Hunt: Yes.

23 Gerald Goolsby: Yes.

24 Sanford Locklear: Absent at time of roll
25 call vote.

1 John Lowery: Yes.
2 Frances Chavis: Yes.
3 Lawrence Locklear: Yes.
4 Joel Garth Locklear: Yes.
5 James Harold Locklear: Yes.
6 Wendy Moore-Graham: Yes.
7 Jerl Locklear: Yes.
8 Linda Hammonds: Yes.
9 Richard Locklear: Yes.
10 Danita Locklear: Yes.
11 Shelley Strickland: Yes.
12 Ricky Burnett: Yes.
13 Welford Clark: Yes.

14 MS. WENDY MOORE-GRAHAM: 16 yeas, no opposition.

15 MR. LAWRENCE LOCKLEAR: Motion carries, and the
16 ordinance, Official Tribal Seal, passes by a vote of 16 yeas and 0
17 nays.

18 MR. LARECE HUNT: Mr. Speaker, if I might, I'd like to
19 go back to the first part of her report on education. At the last
20 Board of Education, the Public Schools of Robeson County reported
21 that 54% of the drops out this school year were Native Americans.
22 54%. They're looking at an alternative school and I've worked in
23 alternative school for 4 years and the majority of the students were
24 Lumbee Indians followed by African Americans. So, there is an issue.
25 Thirty-eight years involved in the process and I cannot put my finger

1 on it other than we, at one time, and I know we cannot go back
2 and turn the hands back, but one time when we were traditionally
3 racial segregated schools, the drop out was not that what it is now.
4 But I think now we've got to the point where we try to be so
5 inclusive that we forgot about special needs and characteristics and
6 traits that come with all the different races. So, we what talked
7 about in culture, cooperating and involvement and all this stuff that
8 we're basically losing our identity as a Native American or Lumbee
9 group, and it's showing up.

10 MR. JAMES HAROLD LOCKLEAR: When the kids drop out of
11 regular school and go to alternative program, are they counted as
12 drop outs or are they counted as drop outs who have completed the
13 assigned work?

14 MR. LARECE HUNT: By state definition of a drop out,
15 they have high school programs at Robeson County College and other
16 tech colleges and trade schools, if they are not completed a
17 traditional high school program, they are a drop out even though they
18 graduate from RCC with a high school diploma, take the same classes
19 everything, they are listed as a drop out. They are recognized as
20 having graduated, but on the other hand they are counted as a drop
21 out.

22 MS. WENDY MOORE-GRAHAM: Double standard.

23 MR. ED BROOKS: There's already been an application
24 for the seal at the US Patent Office, they only thing to change is
25 the digital image, because the symbolism didn't change, so if I could

1 get a copy of the digital image, I'll see if I can't substitute
2 that image with the image that's on the US patent application that's
3 already pending.

4 MS. WENDY MOORE-GRAHAM: Mr. Larece, to address what
5 you were talking about, I just received a 2006 IEA stats which do
6 reveal that we have increased, last year, it was 48 and now it is 54,
7 and we are working in collaboration, because the thing that you have
8 to understand folks, is you cannot separate education from culture
9 with our people. And it is very important for our people to accept
10 who they are before they can become all that they are intended to be.
11 So, that's the one thing that we're trying to work with the IEA and
12 Public Schools of Robeson County. I'm working with Dr. Marilyn Lee
13 on a project and that will be divulged at the next education meeting
14 which will be the 26th of June, so for those of you who have a concern
15 for our children and our culture, June 26th, 6:30 p.m. Thank you.

16 **ETHICS COMMITTEE**

17 No report. Next ethics committee meeting will be on
18 July 6th at 7:30.

19 **FEDERAL RECOGNITION COMMITTEE**

20 MR. JOEL GARTH LOCKLEAR: Currently Elizabeth Dole has
21 written a letter to Honorable John McCain. McCain supports our bill.
22 Previously he, when he served on the Indian committee and now he's
23 Chairman. And Senator Dole has written him a letter encouraging him
24 and y'all should have a copy of this, the history of our recognition.
25 And she is asking him to go ahead and mark up our bill and see if we

1 can't get it out. The other thing I want to remind you of is
2 we're probably going out of the federal recognition business because
3 we're broke. We run out of money and we owe our lobbyist \$15,000
4 and the committee voted not to pay him, not to borrow money against
5 the pond, that issue may come back up but I don't have the authority
6 to bring it back up. So, as it stands right now, we owe \$15,000 to
7 the lobbyist and we need to get out and raise some money to pay him.
8 The committee, they're the ones who have to bring it up. We're
9 standing still as far as money is concerned.

10 MR. GERALD GOOLSBY: You're saying we owe \$15,000 now.
11 We ain't got money to pay it.

12 MR. JOEL GARTH LOCKLEAR: No.

13 MR. GERALD GOOLSBY: So, we need to address that issue
14 tonight?

15 MR. LAWRENCE LOCKLEAR: It's going to be discussed
16 later on.

17 MR. JOEL GARTH LOCKLEAR: There's a bike rally and
18 hopefully it'll raise some money for federal recognition, at 12:00
19 noon. Please come out and support it. It may be the most successful
20 thing that we have done. Bikers will be coming from all over. Jimmy
21 Hunt is a bike man and he's going to be in charge.

22 MS. FRANCES CHAVIS: I need some more door prizes so
23 if any of you want to donate. Or if you don't want to go get the
24 door prizes, you can give me a donation and I'll go pick it up. I've

1 collected about 60, but I need some more. If you can, donate
2 money and I can pick it up.

3 MR. LARECE HUNT: What's the latest on federal
4 recognition?

5 MR. JOEL GARTH LOCKLEAR: I gave you that letter, --
6 Senator Burr said he was going to try to meet with
7 _____ (? spelling) and try to get him basically not to
8 oppose our bill or stand down this week. But, we'll have to wait and
9 hear on that. We're hoping they'll go ahead and mark it up and we
10 may be going back, we may have to go up there to Washington if it
11 gets marked up and passes.

12 MR. JAMES HAROLD LOCKLEAR: There's a letter that's
13 going to be submitted that Senator Dole but we needed Burr's
14 signature on that.

15 MR. JOEL GARTH LOCKLEAR: He's referring to a letter
16 that was sent to McCain, that Dole sent, we wanted Burr to sign but
17 he didn't sign it. He was not in agreement with the timing and that
18 has nothing to do with us. We don't know the ramification of the
19 why, all the ins and outs, according to all of them, he's supporting
20 us, but he felt that he could not move it at that time.

21 MR. LAWRENCE LOCKLEAR: To add a little bit more to
22 Mr. Garth about the letter, they said Burr was going to send that to
23 McCain, Dole was going to send it, but they wanted Burr's signature.
24 Burr feels he wants to wait because he doesn't feel like we have the
25 votes right now. He wants to make sure the votes are lined up. But,

1 we may be able to get his signature, I don't know, but that is
2 the latest. So, maybe we'll see some action over the next couple of
3 weeks with the bill.

4 **FINANCE COMMITTEE**

5 MS. DANITA LOCKLEAR: Sorry I couldn't be there
6 tonight, but in regard to finance, we did meet on Tuesday night to
7 discuss the financials. And there was one grave concern in regard to
8 major medical insurance. There was a motion passed at our committee
9 to get a thorough complete breakdown of our comprehensive coverage of
10 our major medical insurance coverage, the minimal cost as well as
11 maximum cost and know what the Tribal government is paying as well as
12 the employees. And that came out of committee. That came because
13 some of the premiums have almost doubled in the last three years.
14 But that is a motion from the committee. The motion states to get a
15 thorough complete breakdown of our comprehensive coverage of our
16 major medical insurance, the minimal cost as well as maximum cost,
17 know what the Tribal government is paying as well as what the
18 employees are paying out of pocket.

19 MR. LAWRENCE LOCKLEAR: Since this is coming out of
20 committee, a second is not required. Does anyone have any questions
21 about that motion? Does everyone understand what she's asking for
22 with that motion? Just to find out more information about it, trying
23 to get information. Okay, hearing no more discussion. All those in
24 favor of the motion, say aye. (Aye responses.) Those opposed.
25 (None.) Motion carries, Ms. Danita.

1 MS. DANITA LOCKLEAR: One of the other things
2 that we discussed was the resolution regarding Ms. Frances' position,
3 the Logistic Management Coordinator, Mr. Lawrence, do you have a
4 revised copy of that?

5 MR. LAWRENCE LOCKLEAR: Yes, the title was incorrect
6 from the one we discussed in committee. It's Responsibilities of
7 Logistics and Marketing Officer. It's one page. Does everyone see
8 that? Ms. Danita, we did incorporate those changes that we talked
9 about in committee. If you look at the 6th "whereas", talking about
10 travel, basically what that says if you travel somewhere, to a
11 designation, you will only be reimbursed the cost of the cheapest
12 mode of travel. So, let's just say it's cheaper to fly, if you want
13 to drive, you will only be reimbursed for the cost of the flight.
14 See what I'm saying? Okay, that's part of that. If you look at the
15 next "whereas", now this is a change. It says, "Whereas the Tribe
16 shall pursue protection for members to cover expenses for travel
17 that's canceled at the last minute". There's some travel insurance
18 where if it's canceled, the Tribe will have this insurance to cover
19 the cost of travel. That way the Tribe doesn't lose any money. The
20 Tribe purchases it. The next is, "A member shall pay the Tribe for
21 guest expenses prior to attending a meeting", so before you go
22 somewhere and you're taking family, husband, wife, spouse or friend,
23 you have to pay the Tribe for their airplane ticket prior to going on
24 a trip. That way the Tribe is not worried about being compensated

1 for that money after the trip. Pay it up front and there's no
2 questions asked. Any more questions about that.

3 MR. WELFORD CLARK: I don't have any questions, but I
4 have some comments. I wish I had learned some real new big words to
5 really just thoroughly express my disgust at this whole piece of
6 paper. I intend to vote "no" for it. What is the cheapest mode of
7 travel? Why didn't we compare to it a Greyhound bus ride? Why do we
8 have to base everything on the price of an airplane ticket? There's
9 some people just for some reason at some times who don't want to fly
10 for whatever reasons. I landed at Tokyo International Airport one
11 time and it looked that the wing was going to hit the tail end of the
12 plane and crashed into Tokyo Bay. I'll tell you what, if could have
13 gotten to Robeson County some way other than a plane, when I got off
14 that plane I wouldn't got on the next one because my heart was
15 beating so bad, and mouth was so dry, I was scared to death.
16 Sometimes, you just get these things that you don't want. We are
17 entitled to just as any other agency, the government per diem rate
18 for travel. So, if we chose not to fly and we chose to drive, we're
19 entitled to receive that, there's no reason why we shouldn't receive
20 it. So for someone not to like the amount of money I'm getting for
21 travel if I ride my automobile, then I can't share that problem with
22 you. So, I just don't like that and I don't think it's necessary and
23 it's a waste of time and Mr. John Lowery has spoke well tonight about
24 members rights and I stand with you on this one. You're trying to
25 compel me for the sake of a dollar and try to tell me how I'm

1 supposed to get somewhere. I don't know what the purpose of
2 this is. If we'd be honest with it, we'd probably want to call this
3 the Garth Locklear rule. I believe it's directed against him because
4 he likes to drive.

5 MS. DANITA LOCKLEAR: I would like to say this is not
6 the Mr. Garth Locklear rule, Mr. Clark. Some of this was brought
7 prior to your coming on Council. We have had members in the past who
8 have chose a mode of transportation that just like the insurance
9 benefit, have doubled if not quadrupled the price of an airline
10 ticket. Not only that would have to leave before our departure, come
11 back way after our departure and if there were other scheduled things
12 that were pertaining to that or pertaining to what was going on, then
13 they got there and would complain because they could not get back in
14 a timely manner. So, it is not a Garth Locklear issue. Excuse me,
15 Mr. Garth, and I'm not trying to throw off on you, but it is not a
16 Mr. Garth issue. This is something that's been mainstreaming from
17 2001, for some time. It's just a matter of us getting to a point of
18 where we're putting things in place. Thank you, Mr. Speaker.

19 MS. LINDA HAMMONDS: Folks, if we look at the 3rd
20 "whereas" addresses the issue that as a member, I can decide whether
21 I'm going to fly, drive, or go by train, whatever mode of
22 transportation I want to go by. Now, it states that the member will
23 only be reimbursed the cost of travel based on the cheapest mode, if
24 may have been an airline, a train, whatever it is, however let's
25 suppose going by car is not the best way to get there in the

1 timeframe and then the Council will have to go by plane. And
2 what's it's saying there is that whatever the body decides is going
3 at that particular time, that's the mode of transportation that will
4 be used.

5 MR. GERALD GOOLSBY: The cheapest way for me to travel
6 is ride my bicycle. The government reimburses mileage at a set rate,
7 our per diem has got cut. I'd strike that whole "whereas" and I
8 offer that in the form of a motion, to strike that whole "whereas".

9 MS. LINDA HAMMONDS: For clarification, Mr. Goolsby.
10 Let's suppose we have to go California which may be going. Now does
11 that mean that I can get my vehicle and drive to California, be paid
12 per mile, there and back?

13 MR. GERALD GOOLSBY: If you so chose, yes. Or you can
14 fly, or you can ride your bicycle. Ever how you chose to get there.

15 MS. LINDA HAMMONDS: So, I can get \$3000 for gas
16 mileage and gas or whatever, and it could cost me \$500 or \$600, --

17 MR. GERALD GOOLSBY: If you conscious will bear it.

18 MS. LINDA HAMMONDS: I just wanted to know, sir. I
19 mean, I can afford it. Can you?

20 MR. JAMES HAROLD LOCKLEAR: Yeah, that's right. You
21 see sat there and said you can afford it, probably won't have to pay
22 you anything.

23 MR. JAMES HAROLD LOCKLEAR: No, Mr. James Harold, you
24 wouldn't, because when I went to Hawaii, I paid a major part of my

1 expense, sir. Please understand, you certainly been a
2 tremendous number of places.

3 MR. GERALD GOOLSBY: It has nothing to do with what
4 you could afford, I'm just saying if so chose. That's up to you if
5 your conscious can bear it.

6
7 MR. JAMES HAROLD LOCKLEAR: I'll second his motion.

8 MR. JERL LOCKLEAR: Talking about the insurance. Does
9 this insurance have a stipulation? I know you just can't cancel and
10 they reimburse it just because you changed you mind. Is that the way
11 it works?

12 MR. LAWRENCE LOCKLEAR: Do you know Frances?

13 MR. JOEL GARTH LOCKLEAR: I recall it said something
14 that it has to be a good reason.

15 MR. GERALD GOOLSBY: I made a motion to strike that
16 whole "whereas", 1, 2, 3, 4, 5, 6th.

17 MR. LAWRENCE LOCKLEAR: Okay, I got a motion and a
18 second to strike the 6th "whereas".

19 MR. GERALD GOOLSBY: Period at the end of
20 transportation.

21 MR. LAWRENCE LOCKLEAR: Oh, just scratch the first
22 line?

23 MR. GERALD GOOLSBY: Yea, "Whereas a member may chose
24 to travel to and from a destination by any mode of transportation

1 they chose." Period. In other words, from the "however" on,
2 kill it.

3 MR. LAWRENCE LOCKLEAR: Any discussion?

4 MR. LARECE HUNT: We have to draw a line someplace.
5 And I've heard both sides. I don't like the cheapest because the
6 cheapest may be on the back of a hog truck. But yet, you got to be
7 reasonable and how do we define reasonable. Ms. Linda used the
8 example driving to California and your travel may end up being \$3000
9 or \$4000, but you could have flown there and back for \$600. There's
10 got to be some kind of middle of the road here. We're not federally
11 recognized yet, we don't have an unlimited budget with a bottomless
12 pit. We got to reach a happy medium at some point and time so folks
13 can attend conferences that we need to attend, but yet we can't go
14 overboard on one and cut our throats on the other.

15 MR. WELFORD CLARK: Let me beg your indulgence and
16 just hear me out. I'd like to see the hands of everybody that's
17 going to Michigan. 1, 2, 3, 4, 5, 6. How many are driving? All
18 right, now this says selected by the body of members. Are we saying
19 then whatever the—how are we determining the body? What body are we
20 speaking of? Are we talking about the cheapest of those 4 of the
21 cheapest of those 2. Do we wait to see - take a vote on how
22 everybody's going and then come to a determination as to how much we
23 are going to spend. You understand what I'm saying? I'll agree with
24 you Mr. Goolsby and I'll vote for your amendment but I would prefer
25 that we just strike the whole thing. The whole "whereas".

1
2 MR. LAWRENCE LOCKLEAR: The motion is to strike that
3 entire "whereas". Any more discussion on that? Hearing no more
4 discussion, all those in favor of the motion to strike that section,
5 say aye. (Aye responses.) All those opposed, say no. (Opposing
6 responses.) Motion carries and that's section is --

7 MS. DANITA LOCKLEAR: How many -

8 MR. LAWRENCE LOCKLEAR: It was the majority. So,
9 that's been removed. Okay, so now, we're back to the ordinance
10 without that whereas. Any discussion on the ordinance now? Okay,
11 hearing no discussion, since it is an ordinance, Ms. Wendy.

12 MS. WENDY MOORE-GRAHAM: This is motion number 9, to
13 accept the Responsibilities of Logistics and Marketing Officer
14 resolution with the exception of the stricken "whereas". Roll
15 call.

16 Larece Hunt: Yes.

17 Sharon Hunt: Yes.

18 Gerald Goolsby: Yes.

19 John Lowery: Yes.

20 Frances Chavis: Yes.

21 Lawrence Locklear: Yes.

22 Joel Garth Locklear: Yes.

23 James Harold Locklear: Yes.

24 Wendy Moore-Graham: Yes.

25 Jerl Locklear: Yes.

1 Linda Hammonds: Yes.

2 Richard Locklear: Yes.

3 Danita Locklear: No.

4 Shelley Strickland: Yes.

5 Ricky Burnett: Yes.

6 Welford Clark: Yes.

7 MS. WENDY MOORE-GRAHAM: 15 yeas, and 1 no.

8 MR. LAWRENCE LOCKLEAR: So, the motion to accept the
9 Responsibilities of Logistics and Marketing Officer passes by vote 15
10 yeas and 1 nay.

11 MS. DANITA LOCKLEAR: The other item that we have was
12 the resolution that was presented regarding the lobbyist payment but
13 we're going to address this issue at the special called meeting on
14 June 27th because of researching other funding sources. That's it
15 other than the finance committee meeting is scheduled for July 18th at
16 6:30.

17 MR. GERALD GOOLSBY: When is that money due to the
18 lobbyist?

19 MS. DANITA LOCKLEAR: They never gave a specific time
20 as to when that money was due to the lobbyist or what. Mr. Jacobs
21 presented to us that the payment was supposed to rendered already to
22 the lobbyist.

23 MR. LAWRENCE LOCKLEAR: We were told it was 3 months.

1 MS. DANITA LOCKLEAR: Yes, 3 months behind the
2 process, but this is the first time it had been brought to any
3 committee.
4

5
6 MR. LAWRENCE LOCKLEAR: Next committee meeting will be
7 July 18th, but we will discuss the lobbyist on the 27th at the special
8 called meeting.

9 MR. LARECE HUNT: I was looking at the letter that
10 came in our packet from Mr. Bosco to Chairman Goins and Mr. Leon in
11 reference to line items not being in agreement with - making it look
12 like he has overspent his funding. One statement in there, says he
13 has been working with the finance department, which I assuming would
14 be the comptroller, to format to that the line items would be in
15 agreement. And this sentence really draws my attention, "As you can
16 see I have not been able to get this correction made." What do we
17 need to do?

18 MS. DANITA LOCKLEAR: Mr. Larece, Mr Goins brought
19 that up at this meeting on Tuesday night and we discussed that. With
20 some of the department heads, they don't have the understanding as to
21 what line item sometimes that they are supposed to charging it to,
22 and not only that, there are issues where I think they are trying to
23 pick and chose particular items to charge it to. Rather than coming
24 to use for revisions, they are basically trying to find a particular
25 line item to charge it to. But the main thing that he was stating -

1 that Patrick was stating was that they had had some issues where
2 they had charged it to mobile home or emergencies and things like
3 that should have been charged to mobile home or whatever, but that
4 was basically the only one. I know he said they were meeting with
5 the department heads and they were trying to reclassify which comes
6 with us going back and making those approvals and then reclassifying.

7 MR. LARECE HUNT: In my dealings with Mr. Bosco in
8 operating rehab program, you know, this looks like - insinuating that
9 he doesn't have a grip on his budget, that he's overspending and in
10 my dealings with him, Mr. Bosco is not going to put himself in that
11 situation. I just have concern that if this is something that he's
12 been trying to correct since November, here we are in the middle of
13 June, there's something that needs to be checked out.

14 MS. DANITA LOCKLEAR: It's not just Bosco, there's
15 more than one department head that he's met with. They are meeting
16 with all the department heads. Mr. Bosco is only one department
17 head. Like I said, there are issues on the table that they are
18 trying to determine rather than know which line item that particular
19 expenditure was supposed to coming from. They are trying to pick and
20 chose where that expenditure should be assigned to.

21 MR. LARECE HUNT: Ms. Danita, you may remember back
22 when you and I were on the finance committee, we spent all those
23 Saturdays meeting trying to find software packages, and here we are 5
24 or 6 years later and this is a problem we'll still facing.

1 MS. DANITA LOCKLEAR: A lot of that comes back to
2 not having the correct software in place. But if you go down to
3 Office Depot and purchase a software program that is of minimum cost,
4 then you got to go in there and key in and make those differences and
5 try to come up with where to assign your expenses to, this, that and
6 the other, you're creating problems for yourself down the road. Not
7 only that you can't separate the fiscal year from the budget year.
8 We're supposed to be able to see that. Right at this point, some of
9 you I feel like the budget is not significant enough to present it
10 each time at the Council meetings. To me it's very important and you
11 should have one in front of you, but you do not. But, -- that being
12 so, then you would be able to determine what fiscal year that amount
13 of money was taken out of. As it is right now, if you go and look at
14 all the fiscal reports, you can't determine whether it's taken out of
15 fiscal year 2002, 2003, or whatever the case may be. One it runs
16 from one budget not the other and that's not a matter of doing
17 accounting practical.

18 MR. LAWRENCE LOCKLEAR: Thank you, Ms. Danita.

19 **HEALTH AND HUMAN SERVICES**

20 MR. LARECE HUNT: We'll consider the previous
21 presentation as report.

22 **HOUSING COMMITTEE**

23 MR. RICHARD LOCKLEAR: What he is passing out is the
24 revised IHP plan for the 1 and 5 year plans. We cannot vote on them
25 tonight because we just received them. It's a detailed document, we

1 worked it out in committee, it was revised. It has to be in
2 Washington, D.C. I assume by July 1st. In speaking with the Speaker,
3 we have a called meeting on the 27th. I want to read something to you
4 from Mr. Bosco. I assumed he would be here tonight. This is about
5 the points system. Which I've never been addressed to concerning
6 this points system. I'll read it. (Mr. Richard read the letter from
7 Mr. Bosco.)

8 "The waiting list as you currently have is being
9 replaced by a new one. The new list has approximately 50 less names
10 on it due to unforeseen error made in the past under previous
11 administration, clean up of the list was necessary. This will be the
12 last complete list you will receive. We will provide a monthly list
13 of new applicants and a monthly bid list. As you will see there is a
14 priority point category on the new list. The main reason for
15 compiling the list by date of application as opposed to priority
16 points, 55% of our applicants be noted by the asterisk to the left of
17 the applicants name on your old list. Do not have repair points
18 keyed into the client care system. Through our investigation as to
19 why this problem exists, we have found several reasons being, one,
20 some of the first applicants never had inspections done. Two, some
21 had inspections but the form being used at the time did not list
22 points, and three, still other had inspections which were never keyed
23 into the system. The point system is very subjective, depending on
24 who is doing the actual inspection as to the number of points one may
25 eventually receive. The most common complaint in the rehab

1 department gets from Tribal member, Tribal Council and the
2 Tribal Chairman is that we provide services in some applicants that
3 have very new applications ahead of folks who have had applications
4 for longer periods of time. This is a legitimate complaint because it
5 is a fact. With the point system, a person could apply in 2006 and
6 move to the top of the list ahead of 1200 applicants. Now, a lot of
7 people on the Council feel that way. And believe you, me, half the
8 county feel that way. This is what is being taken place. Due to
9 this is happening time and time again, the fact that 55% of the
10 applicants do not have any repair points keyed into the client care
11 system and the subjectivity of the point system, it is only fair to
12 provide services by date of application. We have been continually
13 improving over the past 12 months in our department, having cleaned
14 up numerous problems caused by previous administration.

15 Unfortunately, we do not have the staff or the time to go through all
16 the files one by one, and do new inspections. If an applicant has a
17 severe crisis prior to it being their turn for services, we will
18 address this crisis only. After addressing the crisis, the applicant
19 will then be put into a new category in the client care system known
20 as partial work complete. They will have to explain that. At the
21 time of the applicants number comes up on the list, their other
22 issues will be addressed." I would ask Mr. Speaker what does partial
23 work complete means since nobody explained it to me.

24 MS. DANITA LOCKLEAR: The partial work complete, we
25 have some applicants that been in the system for years now where they

1 did go out and do maybe one or two items, just say for instance,
2 this person that I know without a doubt in my district that they went
3 out and done something 2 ½ years ago and they never went back and
4 completed that work. Now, it's sad to say, but it's true and that's
5 what happened and I'm sure that there's a lot others out in the
6 districts that have had partial work done, they considered it an
7 emergency at the time, they never did go back to it and for some
8 reason they were supposed to go back to it and totally ignored it
9 because they didn't have the points or they didn't put the inspection
10 in the system like they should have. There has been errors from day
11 one and they've never been cleared up. So, I guess, hopefully this
12 process will put it in place. And I'm also sure that's what's
13 happened.

14 MR. LAWRENCE LOCKLEAR: Thank you, Ms. Danita.

15 Anything else, Mr. Richard?

16 MR. RICHARD LOCKLEAR: I'd like to go record as saying
17 that if I have to be here until 12 midnight, it would see justifiable
18 that someone from administration would be sitting in no this meeting
19 also. I'd like to go on record as saying that. Mr. Leon is not
20 here, Mr. Hardin is not here, Mr. Goins is not here and nobody from
21 the office is here. If I have to take my time and voluntarily come
22 down here, it seems to me that somebody from administration, if it's
23 not one person, --

24 MR. JAMES HAROLD LOCKLEAR: Didn't you vote for them
25 not to be here?

1 MR. RICHARD LOCKLEAR: No, sir, I didn't.

2 MR. JAMES HAROLD LOCKLEAR: You asked them not to be
3 here.

4 MR. LAWRENCE LOCKLEAR: No, just not them on the
5 agenda.

6 MR. RICHARD LOCKLEAR: And as a matter of fact since I
7 become chairman of the housing committee, I have asked him to come,
8 sir, on a personal basis. It was in the packet, right? If you have
9 this resolution number 2006 triple zero and it's dated June 15th, you
10 see "whereas", the NAHASDA Indian Housing Plan, everybody have one in
11 their packets. And this was discussed I believe the other night - it
12 was brought up in the housing committee.

13 MR. LAWRENCE LOCKLEAR: Mr. James, it's 2007 NAHASDA
14 Indian Housing Plan. Does anyone have any questions.

15 MR. WELFORD CLARK: Shouldn't those numbers and the
16 final therefore, the third from the bottom therefore, should those
17 numbers be the same? You got 2007 in one place and 2006 in another.

18 MR. LAWRENCE LOCKLEAR: Okay, we'll make that change.
19
20

21 MR. GERALD GOOLSBY: This is not a resolution, by
22 reading the third "therefore" from the bottom, are we essentially
23 approving this Indian Housing Plan?

24 MS. LINDA HAMMONDS: No.

1 MR. GERALD GOOLSBY: Be it resolved that the
2 Tribal Council of the Lumbee Tribe of North Carolina, shall be, --
3 that speaker and secretary of the Lumbee Tribe Council shall sign his
4 or her signature to the Lumbee Tribe North Carolina Indian Housing
5 Plan in authorization for it to be submitted to HUD. Are we going to
6 okay this tonight, -- is that --

7 MR. LAWRENCE LOCKLEAR: No, this is not authorizing
8 IHP, it saying that we authorize, --

9 MR. GERALD GOOLSBY: Authorizing y'all to sign, --

10 MR. LAWRENCE LOCKLEAR: This is giving us permission
11 to sign it. Not authorizing the content, that's it is. You see what
12 I'm saying.

13 MS. DANITA LOCKLEAR: First of all, I'd like to say,
14 Mr. James Harold, we're not trying to attack anybody. We have asked
15 previously, we've asked also in the meetings, asked them to come to
16 the meetings, administration to come to the meeting and yes, we are
17 dedicating our time, and so, you know, if we can dedicate our time.
18 We're not trying to create division here, if we're gonna dedicate our
19 time, they're getting paid as employees and compensated with time off
20 normally when they're there after hours. And, Mr. Gerald, in regard
21 to the Indian Housing Plan, it has to be voted it has to be signed
22 off by the treasurer and the speaker before it can be presented to
23 come out to go to HUD for approval or for submission of payment.

1 MR. LAWRENCE LOCKLEAR: Ms. Danita, I think
2 you're talking about something else. Before us we have the 2007
3 NAHASDA Indian Housing Plan.

4 MS. DANITA LOCKLEAR: I understand that and I - I
5 asked to speak earlier and then you didn't hear me or didn't respond,
6 so I just went ahead and done both in one rather than coming back and
7 coming back.

8 MR. LAWRENCE LOCKLEAR: Okay, that's fine. Thank you,
9 Ma'am

10 MR. JAMES HAROLD LOCKLEAR: I'm not in for a debate on
11 this issue and stuff like that, but I do want to make it clear, now,
12 we did, because they were asked, Mr. Leon and Mr. Jimmy were asked
13 not to come here, but now I think that with the staff members, the
14 workers were given based on invitations, you know, we could call them
15 individually without those 2 people. That's all I wanted to clarify.

16 MR. GERALD GOOLSBY: Is there something different that
17 this is going to change than what we've been doing in the past?

18 MR. LAWRENCE LOCKLEAR: The Council has never, I don't
19 think, has ever authorized the IHP.

20
21 MS. DANITA LOCKLEAR: Mr. Lawrence, it was supposed to
22 have been authorized from the beginning. The Indian Housing Plan has
23 to be approved by the Council before submission.

24 MR. LAWRENCE LOCKLEAR: This is not approving the
25 housing plan, it says it's authorizing us to sign it.

1 MR. GERALD GOOLSBY: Why are we changing it? Is
2 there a fundamental reason for changing it?

3 MR. LAWRENCE LOCKLEAR: Well, you look at the housing
4 plan as policy. You see what I'm saying, what we are going to be
5 doing for the next 5 years.

6 MR. JOEL GARTH LOCKLEAR: Is it authorizing you
7 signing it after we approve it?

8 MR. LAWRENCE LOCKLEAR: Yes, that's basically the j est
9 of it. It's just authorizing us to sign it. That's all it is. It's
10 not authorizing the plan, it's authorizing the speaker and the
11 secretary, it's saying that the Council has seen it.

12 MR. GERALD GOOLSBY: In other words, we're basically
13 saying the Council signs off on it and not the administration?

14 MR. LAWRENCE LOCKLEAR: I think the administration's
15 signature will be on there also. Yeah. The chairman's.

16 MR. WELFORD CLARK: Mr. Speaker, as I understand this
17 and the function of the Tribal Council, the Tribal Council does in
18 fact approve the Indian Housing Plan. It is like the budget that the
19 administration submits and then we approve it. But when it goes to
20 HUD, the administration signs off on it, I guess the Chief signs off
21 on it. Without the signature on the document, there's 2 things.
22 Number one, HUD can only know unless we submit other paperwork,
23 that's the only way that they can know that that Tribal Council, in
24 fact, did approve it, number one. But more importantly, number two,
25 and for those of you who have this copy as opposed to the copy with

1 the proposed changes that submitted to them, would like to
2 inform you at this moment that even the changes, some of the changes
3 that was made it in by the Tribal Council have been overlooked and
4 some of the numbers have been changed from what the Tribal Council
5 approved. And the very one that you have, which says to me that it
6 is imperative and the only way that the Tribal Council can know that
7 the document that we are approving, is in fact the document that's
8 being sent, that the only way that we know that is for the Tribal
9 Speaker and the Tribal Secretary to examine it to ensure the accuracy
10 of it. Otherwise, we can approve it and then they can send it and
11 send anything they want, I'm not saying that they will, I'm just
12 saying that they can. There are things in this corrected copy and it
13 may have all been oversight, -- well, it's not what was submitted to
14 them, the changes, all of them are not in there. I found some - and
15 I just got a hold of it and just glanced at it.

16 MR. LAWRENCE LOCKLEAR: Okay, does everyone
17 understand the purpose then? We are going to try to get out of here
18 as soon as we can. Does everyone understand the purpose of the
19 resolution? It's just merely the Council will authorize. Any
20 questions? Okay, hearing no discussion, we have a motion to accept
21 the 2007 NAHASDA Indian Housing Plan Authorization. Any discussion,
22 okay, hearing no discussion and since it's legislation, Ms. Wendy.

23 MS. WENDY MOORE-GRAHAM: Roll call.

24 Larece Hunt: Yes.

25 Sharon Hunt: Yes.

1 Gerald Goolsby: Yes.
2 John Lowery: Yes.
3 Frances Chavis: Yes.
4 Lawrence Locklear: Yes.
5 Joel Garth Locklear: Yes.
6 James Harold Locklear: Yes.
7 Wendy Moore-Graham: Yes.
8 Jerl Locklear: Yes.
9 Linda Hammonds: Yes.
10 Richard Locklear: Yes.
11 Danita Locklear: Yes.
12 Shelley Strickland: Yes.
13 Ricky Burnett: Yes.
14 Welford Clark: Yes.

15 MS. WENDY MOORE-GRAHAM: 16 yeas.

16
17 MR. LAWRENCE LOCKLEAR: By a vote of 16 yeas and 0
18 nays, the 2007 NAHASDA Indian Housing Plan Authorization resolution
19 passes. Mr. Richard, do you have any thing else?

20 MR. RICHARD LOCKLEAR: That's it.

21 MR. LAWRENCE LOCKLEAR: Okay, we are going to move on.

22 **PUBLIC RELATIONS**

23 MR. LAWRENCE LOCKLEAR: You have a copy of my report
24 in your packet. Pull out the resolution of the official Tribal
25 Council lapel pin and basically all this resolution does, it goes

1 through and it says a couple of things. Let me pull out a
2 couple. There's one, the 6th "whereas", it says, "members shall own
3 no more than 2 lapel pins". And that came from talking to different
4 folks. "Each lapel pin, if possible, shall be numbered" and then it
5 goes through and describes the design of the pin, it talks about the
6 dissemination process and basically what that will be is we will
7 start with the members of the original Tribal Council and they will
8 be given pins first, based on their district number. Mr Larece since
9 he was on the original Council, he's in district one, he'll get the
10 first pin, maybe buy gold and silver, he would get pin one and pin
11 two, because you remember the gold would be the odd numbers and the
12 silver will be even numbers. That makes sense? This resolution just
13 goes through that process and it says that subsequent members of the
14 Council, their pins will be given at their swearing in ceremony.

15 MR. GERALD GOOLSBY: Where you said on the two pins,
16 and please, as a father with children, and I don't have but two
17 children so it's not an issue with me, I'd give one to one child, and
18 one to the other child as a remembrance or whatever. Some people
19 have 5 children, 3 children, --

20 MR. LAWRENCE LOCKLEAR: Well, that's the other thing,
21 if you look at the 4th "whereas", this pin is to be only worn by
22 former and current members of the Council.

23 MR. GERALD GOOLSBY: Not to be worn, -- I'm dead, I
24 mean, you know, they are gonna put it in, hopefully, something to

1 remember me by or whatever as a keepsake. I don' know, I
2 reckon I looking at it as heirloom, and not just give it to one
3 child.

4 MR. LAWRENCE LOCKLEAR: I think part of the reason, --
5 two reasons, two was chosen to allow you to keep up with the
6 numbering. Okay, we're all getting tired, so let's move on. We
7 have a motion from the PR committee to adopt the resolution, Official
8 Tribal Council Lapel Pin, any discussion?

9 MR. GERALD GOOLSBY: I lost my pin, can I buy another
10 one?

11 MR. LAWRENCE LOCKLEAR: Yes.

12 MS. WENDY MOORE-GRAHAM: Roll call.

13 Larece Hunt: Yes.

14 Sharon Hunt: Yes.

15 Gerald Goolsby: Yes.

16 John Lowery: Yes.

17 Frances Chavis: Yes.

18 Lawrence Locklear: Yes.

19 Joel Garth Locklear: Yes.

20 James Harold Locklear: Yes.

21 Wendy Moore-Graham: Yes.

22 Jerl Locklear: Yes.

23 Linda Hammonds: Yes.

24 Richard Locklear: Yes.

25 Danita Locklear: Yes.

1 Shelley Strickland: Yes.

2 Ricky Burnett: Yes.

3 Welford Clark: Yes.

4 MS. WENDY MOORE-GRAHAM: 16 yeas.

5 MR. LAWRENCE LOCKLEAR: Next thing on my report, the
6 pinning ceremony and you need to add this to your calendar. I
7 thought I had put it on there. It's gong to be June 29th at 6:30,
8 right here at ComTech. I've sent letters and e-mails to former
9 Council members. Ms. Frances is handling the pins, so if you haven't
10 paid for your pin, please pay Mr. Frances.

11 Your photos have been put back in their original
12 frames. For the new members that haven't taken photos, you need to
13 do that ASAP. The photos have been placed in frames and just waiting
14 for them to be hung in the office.

15 Next PR meeting is on June 26th after the education and
16 culture committee. Okay, moving on.

17 50-day celebration, Mr. Garth mentioned there is going
18 to be a bike run this Saturday. Next July 1 is going to be the
19 parade in Pembroke, then July 8th, we're gonna have a rally at the
20 Maxton Pond, July 15th, I think they are planning a concert and I
21 think maybe the 22nd, they are planning a gospel sing. So, some of
22 these dates, I'm not quite sure of.

23 MS. LINDA HAMMONDS: I don't know the situation about
24 the North Carolina Indian Housing, --

1 MR. LAWRENCE LOCKLEAR: Okay, it's going to be
2 discussed. But, 50-day celebration, at our next meeting, I'll bring
3 in some photos, who walked 4 miles? We had a good walk, it lasted
4 about an hour and 45 minutes, the 4 miles. So, thank you for those
5 who came out.

6 Tribal Council photos, new members please have your
7 photos taken. The pin ceremony is June 29th at 6:30, here.

8 Moving along, we're getting a float for Lumbee
9 Homecoming. Please, if you can, if you can stand the heat, if your
10 health allows, ride the float. Last year we only had 6 or 7 Council
11 members riding the float. So, if you can, please the float. They
12 talked about regalia, but I'm concerned about the heat. It's going
13 to be hot.

14 I forgot to put this on here, but I've contacted
15 Falmouth Institute and we're working on some dates. It will probably
16 be late July or August before we'll have the training, but I'll get
17 you some more information about that.

18 MR. GERALD GOOLSBY: After going to Hawaii to the
19 training classes there, those people that gave those classes, they
20 were very good, very good teachers. I would be very, I know we voted
21 to do that, but I would be very reluctant to pay anybody to come and
22 train when they can come free.

23 MR. LAWRENCE LOCKLEAR: Well, Ms. Danita has contacted
24 the folks from there. What they would teach and train us on would be
25 different than what the folks from Falmouth. Falmouth would be

1 related to government constitution. NAIHC would be related to
2 housing. So, but we'll get some more information on that.

3 Back to the 5-day celebration. Pull out the
4 resolution, Position Statement on Lumbee Act of 1956. Hopefully
5 we'll be finished in 15 more minutes, so just bear with us. The jest
6 of this is it goes through the history of the Tribe's attempt at
7 federal recognition, it talks about how the 1956 Act recognized the
8 Tribe, but denied us federal benefit. If you look at the last
9 "therefore", it says, "therefore, the Tribal Council believes the '56
10 Act recognized the Tribe, therefore entitles them the full benefits".
11 When you talk about federal recognition, please say we're working to
12 get full benefits, full benefits, not just benefits, it's full. The
13 whole key of the position statement and this is what you need to tell
14 people is that we were federally recognized but we were without
15 benefits and we're seeking full benefits. That's the jest of it.
16 Any questions?

17 MR. WELFORD CLARK: Yes, I think we left out one very
18 important thing and that we should add another "whereas" in there,
19 between the last "whereas" and the "therefore". We should add some
20 kind of language in there stating that we were not the only Tribe
21 that was recognized, but whereas all the other ones have since had
22 full recognition and if possible to list those.

23 MR. LAWRENCE LOCKLEAR: Okay.

24 MR. WELFORD CLARK: To emphasize the point that we are
25 yet the only one.

1 MR. LAWRENCE LOCKLEAR: Okay, what he's talking
2 about, I think there were 3 or 4 other tribes that what was done to
3 us was done to them, but since then those tribes have received full
4 benefits. I'll make sure, unless anyone has any objections, I'll add
5 that language in here and I'll get you a copy. Okay. So, any
6 questions about that. Okay, Ms. Wendy, legislation.

7 MS. WENDY MOORE-GRAHAM: Motion number 12, our
8 position on the Lumbee Act. Roll call.

9 Larece Hunt: Yes.

10 Sharon Hunt: Yes.

11 Gerald Goolsby: Yes.

12 John Lowery: Yes.

13 Frances Chavis: Yes.

14 Lawrence Locklear: Yes.

15 Joel Garth Locklear: Yes.

16 James Harold Locklear: Yes.

17 Wendy Moore-Graham: Yes.

18 Jerl Locklear: Yes.

19 Linda Hammonds: Yes.

20 Richard Locklear: Yes.

21 Danita Locklear: Yes.

22 Shelley Strickland: Yes.

23 Ricky Burnett: Yes.

24 Welford Clark: Yes.

25 MS. WENDY MOORE-GRAHAM: 16 yeas.

1 MR. LAWRENCE LOCKLEAR: By a vote of 16 yeas and
2 zero nays, the resolution, Position Statement on Lumbee Act of 1956
3 is adopted. Moving along.

4 The next thing is the North Carolina Commission on
5 Indian Affairs, they recently had a meeting, and Mr. Larece in 3
6 minutes or less, please give us a brief overview what happened.

7 MR. LARECE HUNT: Mr. Speaker and Council, the
8 majority of the meeting, that morning session was dealing with
9 Representative Ronnie Sutton who gave a budget report. He said that
10 this budget was going to reestablish the Department of Social
11 Services at the level they were 2 years ago. They clustered the
12 counties, and there were 18 counties in the cluster and Robeson
13 County ranked at the top of that cluster as far as getting additional
14 money for that 2004 2005 funding. He stated that of Robeson County's
15 population, 33% are eligible for Medicaid, Medicare. 33% of Robeson
16 County's population are eligible for Medicare. Robeson County, the
17 county commissioners were given \$30 million dollars to bring that
18 funding back up to the level it was in 2004, 2005.

19 There was some side bar discussion with them,
20 particularly dealing with Tribal Council assuming control of the
21 culture center. Ron stated that right now, that he was not in favor
22 of offering that on the floor. He didn't think he would get the
23 support at this time. He said that he was pleased with the working
24 relationship between LRDA and the Tribal Council and he was pleased
25 with that but he was not to the point where he felt like the Tribal

1 Council could handle operating the culture center. He said we
2 had a plate full right now and he was not pleased and even presented
3 on the floor, he had been approached by or he had approached some
4 other representatives and they told him that right now, they could
5 not go along with him in offering the culture center to the Tribal
6 Council.

7 He talked about budget, he said there was no pork in
8 this budget. What it was, the Senate didn't put any special projects
9 in there, so they sent the budget across to the representatives to
10 see if they were gonna come up with any special projects, so, it's
11 almost, I'm gonna wait and see what you do so I can criticize you, so
12 right now, it was just a straight forward budget and then they were
13 gonna come back and start adding in their little pet projects that
14 they wanted to add. So, there will probably be no money for the
15 horse show at the farmer's market in this budget. But there will be
16 other projects being picked up.

17 Ron did state that the Governor has requested 8% for
18 teachers, 5% for state employees, and Ron said he had a problem with
19 that, but he thought it was still going to pass. He said he'd like
20 to see a 6% across the board, for teachers as well as employees.

21 Native Angels Healthcare are competing with
22 Southeastern Regional Medical Center for long-term care facility, and
23 that, -- Hospice, and the hospital is putting a little pressure on
24 them that you can't compete with us. We've got money that we can
25 keep dragging this process out, but the North Carolina Commission of

1 Indian Affairs went on record endorsing Native Angels to
2 continue to fight for that position.

3 The afternoon session dealt with education report with
4 Dr. Louise Maynor and her report reflect test scores which showed
5 that American Indians, Lumbees, are scoring, again their scores are
6 even lower than the whites. The next meeting is September 7th at
7 Cherokee.

8 MS. LINDA HAMMONDS: Thank you, Mr. Larece, I
9 appreciated that. That was an excellent report. I really appreciate
10 it.

11 MR. LAWRENCE LOCKLEAR: And kind of tying into what
12 Mr. Larece said, looking back, and I think this is the last thing
13 we'll have to vote on, well second last thing to vote on. I want you
14 to pull out the resolution, it's nomination of Ricky Burnett and
15 Linda Hammonds to serve on the North Carolina Indian Housing
16 Authority Board. At our March meeting, Mr. Ricky Burnett was chosen
17 as our first choice and Ms. Linda was the alternate to serve on the
18 North Carolina Indian Housing Authority Board. If you flip on over
19 to that second page, you'll see that's the letter that I sent to Greg
20 Richardson at Commission of Indian Affairs. It doesn't have my
21 signature. I couldn't find the one I signed. If you'll flip on over
22 to the 3rd page, you'll flip back to the letter I sent, that letter
23 was sent April 3, 2006, flip on over to the next page, you'll notice
24 this is a resolution from the Tribal Chairman, entitled, "Appointment
25 to North Carolina Indian Housing Authority Board", dated April 11th,

1 and the jest of this is the Chairman nominated Al Locklear to
2 serve NCIHA. And then you flip over on the following page, you see a
3 letter from, it says it's from Mr. Leon, stating the Tribal
4 Chairman's resolution recommending appointment on Mr. Al's selection.
5 If you flip over back to the resolution, on June 23, 2005, the Tribal
6 Council adopted an ordinance basically outlining the process by
7 which we would choose nominees to board and that process said that the
8 Tribal Council would select the person, basically that's the jest of
9 it. And what we have here is the Tribal Council sent in 2 names and
10 then the Tribal Chairman drafted a resolution and sent in a whole
11 separate name and didn't tell us about it. Let's just say I got a
12 copy of this letter, I didn't know about it. And I talked to the
13 Chairman and he told me yesterday and again today and I talked to
14 Tammy and concurred, the Chairman said, and Tammy said he already
15 drafted a letter to withdraw his nominee of Al Locklear. I sent a
16 copy of our ordinance on selecting these people to boards to the
17 Commission of Indian Affairs so they'll have it for future reference.
18 Because the last policy they had was from LRDA years ago. So, that's
19 been updated. The reason I have this resolution in front of you,
20 it's not to vote on our names, it's just simply stating that we
21 adopted a resolution, an ordinance on how we adopt people, it talks
22 about the term of Mr. Al Locklear expiring and it says on March we
23 nominated 2 individuals and then that's basically it. That's what
24 this resolution is. I'm bringing before the Council basically saying
25 that the Tribal Council has the authority to nominate individuals to

1 serve on the Commission and that's what this is. If Council
2 decides to approve this tonight, I will send a copy to the Commission
3 of Indian Affairs.

4 MR. GERALD GOOLSBY: I don't want to beat a dead horse,
5 but in the nomination, I have nothing against Brother Linda and
6 nothing against Linda as far as serving, but as Brother Welford a
7 while ago, to the extent possible, to try to get people that's not
8 Council members, I still haven't been given a satisfactory answer on
9 what extent was taken to find some non-Council members and we just
10 voted for an amendment to be put on the ballot tonight on election in
11 November that prevents this very thing. It's already passed. I
12 voted against it then and I feel like I need to put my opposition
13 again on the process that we took and us not following our own
14 ordinances. And I wasn't involved in any extent possible to find
15 someone that I know of or hadn't heard anything.

16 MR. LAWRENCE LOCKLEAR: This resolution is not about
17 the nominees. It's certifying the process that the Tribal Council
18 takes to nominate individuals on that board. You can put any name in
19 there you want to.

20 MR. JAMES HAROLD LOCKLEAR: The Tribal Council has the
21 right to nominate a person to serve on that council, but it don't
22 have to be from the Tribal Council. It can be someone else. And
23 it's like Gerald said, I have nothing against the people, but I'm not
24 going to support it.

1 MR. LAWRENCE LOCKLEAR: We're not gonna get off
2 on discussion about people. We're talking the process. Okay. So,
3 please keep your comments on the process, not the people.

4 MS. LINDA HAMMONDS: I guess my question would be here
5 is that there's such a question here by individuals regarding the
6 process of this Council putting someone on the NCIHA, which by the
7 way, since the beginning has always been an appointed member of the
8 interim tribal government, which was LRDA. Now, the same with the
9 position that Mr. Garth Locklear now holds, who was just reappointed
10 by this Tribal government. The question is, was there discussion
11 then of the process, --

12 MR. GERALD GOOLSBY: Yes.

13 MS. LINDA HAMMONDS: --, and by the way on that
14 particular one, for years, for years, Tribal members have always
15 voted on that particular position.

16 MS. DANITA LOCKLEAR: I think I heard you say that
17 this process have never been put in place before. I would like to
18 stand corrected on that. That process has been in place before, the
19 first Tribal Council done the exact same thing, two names were sent
20 up and we had this same issue where the chairman met, there was a
21 certain procedure, the chairman and the other representative met in
22 closed session to discuss this and that other person was chose, and
23 it was done prior to this and there was a procedure to carry out and
24 the manner that there is now, what happened to it, it got lost for
25 some ungodly reason. So, this is not the first, it's just a matter

1 of continuing to ensure that it's being followed through. It is
2 not the first. The first started in 2000. So, this is not the
3 first time it's happened, this is not the first procedure that has
4 been in place, but now this is just the second time it's been
5 ignored. So, I think you quoted wrong.

6 MR. LAWRENCE LOCKLEAR: Thank you, Ms. Danita. Any
7 more discussion? Ms. Sharon?

8 MS. SHARON HUNT: I don't see any difference than what
9 we did at the last meeting on May 18th when we appointed Mr. Garth to
10 go back to the Commission of Indian Affairs, it was an unanimous
11 vote.

12 MR. GERALD GOOLSBY: Comment on that, was Garth stated
13 he is not running for office when term is up.

14 MS. SHARON HUNT: That's beside the point. He's still
15 a current member.

16 MR. GERALD GOOLSBY: That's what the discussion was.
17 That was the discussion that we had that night on that particular
18 issue and the reason I supported it that night was because of that.
19 He was voted on the NCCIA and, -- what I'd like to know is what
20 extent we went to in nominating these names for this board. And the
21 night at that meeting it was said that we went to an extent. Who did
22 we talk to and ask them to serve before nominating anybody? And
23 there, again, it's not a personal issue. It's a procedural issue and
24 the night that Garth brought his situation up, he was not running, he

1 would resign from the Council if necessary, but he was not
2 running in November for re-election to stay on the Commission of
3 Indian Affairs.

4 MR. JERL LOCKLEAR: We went through the same procedure
5 with Mr. Larece, but I mean, what's the difference now. Same thing
6 with Mr. Larece, and Garth the same thing.

7 MR. LAWRENCE LOCKLEAR: Any one have new discussion?

8 MR LARECE HUNT: If I might and I'll be brief. This
9 came up too at the Commission of Indian Affairs, it was a sidebar
10 issue. And Mr. Richardson is somewhat in an awkward position to have
11 different recommendations from 2 different groups for one position.
12 And he said that the only thing he could do at that point would be to
13 send both nominations back, and said send me one nomination that I
14 can forward to the governor. And I'm hearing now that he's saying
15 give me all 3 and I'll send all 3 to the governor and let the
16 governor hash this out. But it really doesn't look like we're
17 singing off the same page. I will say that Mr. Richardson did say
18 from the nomination here, we had constitution and ordinances to back
19 up the Council's nomination, so that to me seemed to be the fair way
20 to go if that's the rule we are gonna follow. It doesn't look too
21 good right now that we're in this position.

22 MR. LAWRENCE LOCKLEAR: What your vote on this
23 signifies is not the vote on the people, it's the vote, you're
24 acknowledging that the Tribal Council does have an ordinance on this
25 and that the Tribal Council did follow through with its ordinance and

1 procedure that it had in place for selecting these individuals.
2 That's what the vote on this is about.

3 MS. WENDY MOORE-GRAHAM: Call for question.

4 MR. LAWRENCE LOCKLEAR: There is a motion on the floor
5 to accept the nomination of Ricky Burnett and Linda
6
7 Hammonds to serve on the North Carolina Indian Housing Authority
8 Board.

9 MR. GERALD GOOLSBY: Wait a minute now, I thought this
10 was voting on the process.

11 MR. LAWRENCE LOCKLEAR: That's what this is about, the
12 process.

13 MS. WENDY MOORE-GRAHAM: Roll call.

14 Larece Hunt: Yes.

15 Sharon Hunt: Yes.

16 Gerald Goolsby: No.

17 John Lowery: Yes.

18 Frances Chavis: Yes.

19 Lawrence Locklear: Yes.

20 Joel Garth Locklear: Yes.

21 James Harold Locklear: No.

22 Wendy Moore-Graham: Yes.

23 Jerl Locklear: Yes.

24 Linda Hammonds: Yes.

25 Richard Locklear: Yes.

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Danita Locklear: Yes.
Shelley Strickland: Yes.
Ricky Burnett: Yes.
Welford Clark: Yes.

MS. WENDY MOORE-GRAHAM: 14 yeas, and 2 no.

MR. LAWRENCE LOCKLEAR: By a vote of 14 yeas and 2 nays, the resolution on the nomination of Ricky Burnett and Linda Hammonds to serve on the Housing Authority Board passes.

COMMUNITY COMMENTS

No report.

ANNOUNCEMENTS

- Next meeting is in Scotland County.
- Lumbee Warriors Association Military Ball at Porter Plaza, July 1st at 6:30. \$50 per person.
- There is a Lumbee Indian name, Verdie Mae Strickland, scribed in the Native American wall at Smithsonian, in Washington, D.C.
- Mansfield Law Firm Open House, Thursday, June 22, 4:00 p.m. to 7:00 p.m. in Lumberton.
- Call Ms. Frances Chavis for travel arrangements and questions. Do not call Tammy at the tribal office.

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- Special called meeting Tribal Council meeting on June 27th at 6:30, to discuss 3 things, 1) wellness issues, 2) lobbyist, 3) IHP.

MR. LAWRENCE LOCKLEAR: Do I hear a motion that we adjourn after the benediction.

(Many "so moved" and many seconds.)

MR. LAWRENCE LOCKLEAR: Okay, I have a motion and a second to adjourn after the benediction, all those in favor, say aye. (Aye responses.) Any opposed? (None.)

MR. JAMES HAROLD LOCKLEAR gave the benediction.

- Meeting adjourned at 12:00 midnight - -

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