



1 Joel Garth Locklear: Here.  
2 Lawrence Locklear: Here.  
3 Richard Locklear: Absent at roll call.  
4 John Lowry: Here.  
5 Jimmy McNeill: Here.  
6 Wendy Moore-Graham: Absent at roll call.  
7 Pam Spaulding: Here.  
8 Shelley Strickland: Here.

9 MS. FRANCES CHAVIS: We have a quorum.

10 MR. LAWRENCE LOCKLEAR: thank you, Ms. Frances. I  
11 just wanted to note for everyone, Mr. Richard, Ms. Danita and Ms.  
12 Wendy are at the NIEA conference this week. Mr. Ricky had revival, I  
13 think, at his church this week and couldn't make. Mr. Larece called  
14 me and told me that he was not going to be able to make tonight, so I  
15 just wanted to mention that to everyone.

16 MR. GERALD GOOLSBY: Mr. Speaker, there is a special  
17 program scheduled for tomorrow, if you knew about it, --

18 MR. LAWRENCE LOCKLEAR: Yeah, we are gonna announce  
19 that a little later.

20 **REVIEW AND APPROVAL OF AGENDA**

21 MR. LAWRENCE LOCKLEAR: As far as the agenda is  
22 concerned, there was just one item I wanted to add at the end of the  
23 agenda, I got a phone call this week from Ms. Arlinda Locklear, she  
24 wants to provide an update on federal recognition but it's something  
25 that she feels she needs to talk with us in closed session about.

1 And I wanted to add that after the announcements section of the  
2 agenda since it is in closed session. Does anyone have any  
3 objections to that? Okay. Is there anything else?

4 MR. GERALD GOOLSBY: I reserve the right to have other  
5 items discussed in closed session as we go along. I don't know what  
6 it may be, but if something else come up. Just announce it before we  
7 go in.

8 MR. LAWRENCE LOCKLEAR: Yeah, announce it before we go  
9 in. Okay. Is there anything else. Okay, hearing none, do I hear a  
10 motion that we accept the agenda with the edition of closed session  
11 on discussion of federal recognition after announcements.

12 MR. JIMMY MCNEILL: So moved.

13 MR. GERALD GOOLSBY: Second.

14 MR. LAWRENCE LOCKLEAR: Okay, I have a motion and a  
15 second. Any discussion? Okay, hearing no discussion, all those in  
16 favor, say aye. (Aye responses.) Those opposed. (None.) Motion  
17 carries.

18 **REVIEW AND APPROVAL OF MINUTES**

19 MR. LAWRENCE LOCKLEAR: As far as the minutes are  
20 concerned, Ms. Wendy did not get the minutes, that's why no one has  
21 them. We had mentioned at the last meeting that we would vote on the  
22 minutes from the August meeting tonight. Does anyone have any  
23 changes that need to be made to the August minutes? Okay. I hear no  
24 changes to those, do I hear a motion that we accept those minutes?

25 MR. KENT HUNT: So moved.

1 MS. PAM SPAULDING: Second.

2 MR. LAWRENCE LOCKLEAR: I have a motion and second  
3 that we accept the August minutes, is there any discussion? All  
4 those in favor, say aye. (Aye responses.) All those opposed. (None  
5 with one abstain.)

6  
7 **COMMITTEE REPORTS**

8 **CONSTITUTION AND ORDINANCE COMMITTEE:**

9 MS. LINDA HAMMONDS: Mr. Speaker, I believe I can  
10 speak loud enough sitting here. We were asked at the last meeting  
11 that you would bring from your district a recommendation to the  
12 Elders Review. How many of us forgot to do that? Okay. For the  
13 Elders Review. We were looking for an individual to bring forth from  
14 our districts to serve on the Elders Review. Let's make that a  
15 priority for the next meeting, please, so we can get that settled.

16 MR. LAWRENCE LOCKLEAR: What about those that have  
17 theirs?

18 MS. LINDA HAMMONDS: Okay, you have yours? We need to  
19 send a sheet of paper around, but we cannot address it tonight unless  
20 we could just pull numbers, okay, and say these districts would be  
21 the actual committee and so forth, but if you want to wait next  
22 month, we can do it.

23 The other part, those committees that were supposed to  
24 bring names forth for the Board of Election, did those of you get  
25 together on that particular issue or do we know who they are?

1 MR. WELFORD CLARK: We still don't know who they  
2 are.

3 MS. LINDA HAMMONDS: Okay. That information was put  
4 in the boxes too, okay. So, you should have that. It was a one  
5 sheet that comes out of the minutes that were recorded for that  
6 particular event that shows you what district you work with. Okay,  
7 and I understand that Mr. Oxendine is from Pam's district and whoever  
8 Pam was sharing with, Ms. Locklear is from my district and Lawrence  
9 and Frances' district, okay, Mr. Gerald's district. Mr. Lowery is  
10 from Pembroke district, and I'm sure which district, -- and I'm not  
11 sure, -- and -

12 MR. GERALD GOOLSBY: Clem's from our district, and  
13 Buddy, I think Buddy was on it.

14 MS. LINDA HAMMONDS: Okay, so we're missing one  
15 individual.

16 MR. GERALD GOOLSBY: The lady that was real estate.

17 MR. LAWRENCE LOCKLEAR: I think that territory was  
18 Ricky's, Mr. Jimmy's and I think Mr. Sanford's district. I think  
19 that was the other one, I'm not quite sure. But check for a map, you  
20 had a multicolored map. Just check some of your paperwork, it should  
21 be in there.

22 MS. LINDA HAMMONDS: And also recommendations for the  
23 administrative court and how you are gonna handle that as far as  
24 whether or not you're gonna have confirmation is on that one as well.

1                   At this time, it is my understanding that the  
2 Chairman has vetoed the last ordinance that we worked on which was  
3 actually an amendment or where we revised the ordinance that dealt  
4 with the decorum of the Tribal Council meetings and so forth, so  
5 that's gonna have to be brought back to you all to see how you want  
6 to handle that. That's it. Our next meeting is next week.

7                   MR. LAWRENCE LOCKLEAR: I put an updated calendar in  
8 front of everyone, so the next Constitution Committee meeting is  
9 October 26<sup>th</sup> at 6:30, that's next Thursday.

10                  MR. WELFORD CLARK: Would this be the proper time  
11 considering that this committee, the Constitution Ordinance  
12 Committee, is the committee that met concerning the amendments that  
13 will be placed on the ballot, would this be the proper time, --

14                  MR. LAWRENCE LOCKLEAR: We are going to talk about the  
15 Supreme Court hearing later in the meeting under Old Business. Yeah,  
16 we'll talk about it then at that time.

17                   **ECONOMIC DEVELOPMENT**

18                   (No report.)

19                   **EDUCATION AND CULTURE COMMITTEE**

20                  MR. GARY STRICKLAND: Good evening folks, it's good to  
21 hearing from the Tribal Council. I worked there for 3 years. I'm  
22 glad to be back in your presence.

23                  Again, I'm Gary Strickland. I'm with the Lumbee Tribe  
24 Youth Council and as their chairman right now, we are doing what we  
25 consider right now a major fund raiser. We are gonna be doing

1 something called the Great Golf Ball Drop. It will take place  
2 next Saturday night which is October, -

3 MR. LAWRENCE LOCKLEAR: Excuse me, everybody, not to  
4 interrupt Mr. Gary, but I put a copy of that, a copy of the flyer in  
5 your packet, it's probably the last sheet.

6 MR. GARY STRICKLAND: But, on October 28<sup>th</sup> at LRDA's  
7 Fall Pow-Wow, at 6:00 p.m., we will be dropping 2000 golf balls onto  
8 a makeshift green. We will have a 1<sup>st</sup> place hole, a 2<sup>nd</sup> place hole and  
9 a 3<sup>rd</sup> place hole. Each one of those golf balls will be sold for \$5 a  
10 piece, equaling \$10,000. We are gonna have a first place prize of  
11 \$2000, 2<sup>nd</sup> place - \$1000, and 3<sup>rd</sup> place - \$500. I think the day of the  
12 average car wash and donut sale and candles, I think everybody has  
13 them from here to Kalamazoo. It's getting kind of old, so Ms. James  
14 Goins found this on the internet and we're doing our own makeshift  
15 copy of that. The balls will be dropped from a crane that will tower  
16 above this makeshift green, it'll have numerous prizes. Of course,  
17 the 1<sup>st</sup> place, 2<sup>nd</sup> place and 3<sup>rd</sup> place hole, but it will have different  
18 prizes out there from different companies that have donated different  
19 things at the same time.

20 Ms. Wendy told me to challenge each Council member to  
21 at least 5 golf balls. She has done 10 golf balls herself, which  
22 equals \$50 for her, and that would be \$25 for each one of you.

23 But these proceeds will be used to improve the Boys  
24 and Girls Club and be used for Youth Services. And nothing has yet  
25 been set in stone what we will be using these funds for. But we

1 want to be proactive. There have been many incidents where the  
2 Boys and Girls Club may have needed something or needed additional  
3 funding and we weren't able to help. So, if we can clear \$6500 from  
4 this project, the next time we have something to come up, we'll have  
5 \$6500 in the coffer.

6 This goes to the public also. We're trying to do  
7 something and help the little ones, our most important asset. So, if  
8 anybody has any questions about this and, -- how do you buy one? You  
9 can come see Gary Curtis Strickland, Jr. at First Bank in Pembroke.

10 We are also looking for your e-mail addresses so we  
11 can e-mail news out about the Boys and Girls Club at the same time.

12 Yes, ma'am?

13 STENOGRAPHER: What is a golf ball drop. This is new  
14 to me, what is that?

15 MR. GARY STRICKLAND: What we are gonna do, we're  
16 selling the 2000 golf balls, we'll put them in some type of container  
17 and we will drop the 2000 golf balls on the makeshift green, at one  
18 time. We're trying to get 12 different prizes, but 3 of them, one  
19 will be the 1<sup>st</sup> place, one will be the 3<sup>rd</sup> place.

20 STENOGRAPHER: Now what happens if 2 balls drops in  
21 one hole?

22 MR. GARY STRICKLAND: It's the one at the very bottom  
23 of the hole. We're actually trying to make that hole just large  
24 enough to where one golf ball will fit in. With the Youth Council,  
25 it was, how are we gonna make this work? And at first it was

1 supposed to be done from a helicopter and we thought about and  
2 we thought that sounded great, a helicopter flying over the pow-wow,  
3 that would be awesome. Then we thought, they'll be 50 tents at the  
4 pow-wow, a helicopter coming over gonna tear up everybody's stuff.  
5 So, the crane is not going to make any wind, we hope. But it will  
6 drop 2000 golf balls at one time.

7 We think it will be exciting, and it's very easy, very  
8 quick. The only major work is come from the Youth Council, -- just  
9 and we got to number 2000 golf balls. We got to write 1 through  
10 2000. Each person, I have the tickets inside, we will put down each  
11 person's name, telephone number and their e-mail address if they have  
12 one and we will be contacting that person. You do not have to  
13 present to win, but we think it will fun.

14 We have a barrier of hay bales, 15 wide, that will  
15 surround the entire makeshift green, so the golf balls won't go over  
16 to the university.

17 Hopefully, you will take the call and buy some  
18 tickets. We will be glad to take your money. I promise you, we  
19 will. If for some reason we do not sell the full 2000, for 1<sup>st</sup> place  
20 will do 20% of the proceeds collected. 2<sup>nd</sup> place 10%, and 3<sup>rd</sup> place  
21 5%. So, it will still be in the same line. We thought this thing  
22 out. You got a good Tribal Youth Council. Ya'll need to come to a  
23 meeting sometime. Luckily with the Tribal Youth Council, right now,  
24 we don't have term limitations. So, hopefully I can serve 6 years.

25 Any questions. Thank you, very much.

1  
2  
3 MR. LAWRENCE LOCKLEAR: The next Education and  
4 Culture, the next committee meeting on the calendar is October 30<sup>th</sup> at  
5 6:30.

6 **ETHICS COMMITTEE**

7 MR. GERALD GOOLSBY: I don't have any comments, but  
8 the complaint that I told about last time, we need to meet on the 26<sup>th</sup>  
9 after Constitution Committee, and we do need to address this. That's  
10 all I got. A called Ethics October 26<sup>th</sup> after Constitution. And the  
11 next meeting will be just a scheduled meeting.

12 **FEDERAL RECOGNITION COMMITTEE**

13 MR. JOEL GARTH LOCKLEAR: You already said all that  
14 needs to be said.

15 MR. LAWRENCE LOCKLEAR: Thank you, Mr. Garth, and  
16 your next meeting, Mr. Garth is November 6<sup>th</sup>.

17 **FINANCE COMMITTEE:**

18 MR. LAWRENCE LOCKLEAR: Ms. Danita is not here, and  
19 I think her next meeting, now if you notice on November calendar, her  
20 next meeting is gonna be on the 13<sup>th</sup>, that on a Monday. Okay, the  
21 elections are on the 14<sup>th</sup>, so, please, please note that on your  
22 calendar. The Finance Committee meeting will be moved to the Monday  
23 prior to. Okay.

24 **HEALTH AND HUMAN SERVICES**

1 (No. report. Next committee meeting is scheduled  
2 ) for November 7<sup>th</sup> at 6:30.)  
3

4 MS. LINDA HAMMONDS: Mr. Speaker, there's a memo here  
5 regarding a luncheon. You know, I would appreciate that the Tribal  
6 administration and so forth recognized that there are some of us who  
7 work and it's difficult to get off at 12 noon for these lunches and  
8 so forth that they plan. I mean, you know, of course, I can  
9 understand why they do that, but anyway. You know, from now on if  
10 you want Tribal Council people to be there, you ought to consider  
11 sometime, sometime those of us who do work.

12 MR. LAWRENCE LOCKLEAR: Thank you, Ms. Linda for  
13 mentioning that. This was placed in my box. This is on October 24<sup>th</sup>  
14 at noon. Mr. Larece said it was just a luncheon to discuss health  
15 and medical issues with local doctors, so for those of you who can  
16 attend.

17 MR. LEON JACOBS: In response the Council lady, the  
18 reason for this is that the doctors and nurses have asked that we  
19 have this as a lunch meeting as opposed to a night meeting and that  
20 was the reason, and we haven't had one now for about several months.  
21 We're trying to take that into consideration.

22 MR. LAWRENCE LOCKLEAR: Thank you, Mr. Leon.

23 **HOUSING COMMITTEE**

24 MR. LAWRENCE LOCKLEAR: Mr. Richard is not here  
25 also, but we did have a brief Housing Committee meeting. Tribal

1 member, Mr. Reginald Oxendine came and spoke to the Housing  
2 Committee. We talked about Indian preference and quite a few areas.  
3 So, that's something that I can imagine we'll probably discuss in  
4 more detail at the next Housing Committee meeting and that meeting,  
5 again, is on your calendar for November 6<sup>th</sup> at 6:30.

6 I also forgot to mention on November 7<sup>th</sup>, if you  
7 notice, there's a Constitution Committee meeting that night after  
8 Health and Human Services.

9 **PUBLIC RELATIONS**

10 MR. LAWRENCE LOCKLEAR: We had a brief discussion  
11 about a group called "The United Lumbee Nation". They are a group  
12 that claims to be a band of Lumbee Tribe, in fact, I don't think any  
13 of them are descendants or even related to the Lumbee Tribe, but  
14 they're claiming to be Lumbee and they are basically selling cards to  
15 individuals that are interested in joining their tribe. And are  
16 gonna draft some legislation for consideration by the Council at the  
17 next Tribal Council meeting. So, this group has been around for  
18 quite a few years. We have a Tribal member that lives in Ohio and he  
19 says he frequents pow-wows there and there are members of this group  
20 there and they're telling everyone they're Lumbee. They don't  
21 specific, you know, state in the beginning that they're actually  
22 United Lumbee Nation, they just say they're Lumbee, but once you  
23 start questioning them and asking them about their tribe and who they  
24 are you eventually find out who they are. So, this is a group  
25 that's, I think, it's organized across the United States and

1 basically I think the legislation would basically kind of sort  
2 of be a cease and desist order claiming to be Lumbee and various  
3 other

4  
5 things, but that will be at the next Council meeting for your  
6 consideration.

7 Any questions? The next Public Relations will be  
8 right after Education and Culture on October 30<sup>th</sup>, that's also on your  
9 calendar.

10 MR. GERALD GOOLSBY: You're gonna be discussing that  
11 at the next meeting?

12 MR. LAWRENCE LOCKLEAR: At the next Public Relations  
13 meeting, yes. Any other questions about committees before we move  
14 on?

15 **OLD BUSINESS**

16 **UPDATE ON SUPREME COURT**

17 MR. LAWRENCE LOCKLEAR: If you look in your packet,  
18 right after calendar, this is a letter I got yesterday from Mr. Henry  
19 Ward Oxendine, he's the Chief Justice of the Supreme Court. I'll  
20 just read it real briefly.

21 "The court is issuing an injunction prohibiting the  
22 voting of the proposed constitutional amendments on November 14<sup>th</sup>.  
23 This injunction is based on petitions filed by Anthony Blanks and Ray  
24 Little Turtle. We determined that the Tribal Elections Board did not  
25 comply with Article 8 of the Tribal Constitution, particularly as to

1 the requirements that the amendments be published and posted  
2 appropriately and that a special election must be held for amendments  
3 to the constitution." And he says, "We are having a copy of this  
4  
5 letter sent to the Chairman of the Tribal Elections Board. We will  
6 issue a formal ruling in the next 2 weeks".

7 So, of the 3 petitions that were filed, the petition  
8 on the budget was dismissed by the court, we requested it be  
9 dismissed and it was dismissed.

10 The petition on the amendments, it appears here that  
11 the ruling was based on a technicality. The Elections Board did not  
12 publish or post I think in the local newspapers, the amendments and  
13 that's the reason for the injunction. So, I'd like to also thank Ms.  
14 Linda and Ms. Wendy for assisting with that, with our defense, I  
15 guess, the hearing. I just wanted to pass this along to the Council  
16 just to let you know what had happened with the hearing and  
17 everything.

18 There were some concerns expressed about the fact it  
19 was a couple of things, one, the special election must be held.  
20 There have been elections in the past, there's been special elections  
21 but held the same day of the general election. One that's coming up  
22 for example, is the election to fill the seat currently held by Mr.  
23 David Carter, that's a special election because he had over a year  
24 left on his term and the constitution says you'll have to have a

1 special election, but that election is being held the same day  
2 of the general election.

3  
4 And I think there has been some other ones in the  
5 past, special elections that were held the day of the general  
6 elections, so the precedent has been set for that, that special  
7 elections can be held the day of.

8 MS. LINDA HAMMONDS: The term "special election"  
9 simply means that you have identified a time span in which that  
10 election is supposed to occur. In our state elections you can go  
11 back and check, there are many, -- a special election actually  
12 referred to as the die election. It meant that when you had a  
13 special election it was because somebody had died. They changed the  
14 term to special election. There are many "special elections" exactly  
15 like we're doing that are held at the same time as the general  
16 election.

17 So can go back into state law and check that out. So,  
18 where the confusion came in about that, I honestly cannot understand.

19 MR. OXENDINE: Mr. Speaker, can I give this to Ms.  
20 Linda.

21  
22 MR. LAWRENCE LOCKLEAR: Yes, if you wish.

23 MR. GERALD GOOLSBY: I think an issue is, -- that's a  
24 tough thing. You can call any election special. I mean, it was  
25 special when I won. I mean, to me. I think the issue is somebody

1 complained. I think if somebody in the district that David  
2 Carter exited, and I just found out this a while ago, would complain  
3 they might have a leg to stand on too. Maybe they won't, I don't  
4 know. But the court ain't gonna rule on something that ain't before  
5 them. You know what I'm saying. So, if nobody says anything it goes  
6 on. I mean, there's got to be a policeman or law enforcement agency  
7 or something to control whatever -

8 MR. LAWRENCE LOCKLEAR: I understand what you're  
9 saying. I think the thing is is just to be consistent with  
10 everything that's done.

11 MR. GERALD GOOLSBY: Well, somebody complained this  
12 time, and whether they complained about that I don't know.

13 MR. LAWRENCE LOCKLEAR: Yeah, yeah, but I think that  
14 was key, just to be -

15 MR. GERALD GOOLSBY: I speed a lot and I hope the law  
16 is not down Deep Branch Road, nobody complains until I get caught.  
17 You know.

18 MR. LAWRENCE LOCKLEAR: Did anyone else have any  
19 other questions about this?

20 MR. WELFORD CLARK: Mr. Welford, I'll give you my  
21 take. What happened was this. First of all there were 2 frivolous  
22 injunctions that were filed and it was submitted and heard by an  
23 unconstitutionally seated court, that rendered at least one ruling  
24 that's contrary to the Constitution's intent and at least one ruling

1 that violated precedents that have been set in at least 2  
2 previous special elections.

3 Case in point, me. I was placed on the ballot when I  
4 came to this Council. Mr. Jimmy McNeill who is seated at the table,  
5 he took an unfinished term of someone and his election  
6 constitutionally said "special" as well. Both of those elections  
7 were held, of course, nobody filed against me, I don't remember, but  
8 Mr. McNeill who sits at the table now was elected at a normal  
9 election I think is the way the court said it the other night, but  
10 his was a special election. And that happened then and the research  
11 happened at one other election previous to that but I don't remember  
12 the candidate's name, but clearly when Mr. McNeill and I came to the  
13 Council, we came in such a fashion as the Constitution said was a  
14 "special election".

15 So, the precedent has been established insofar as what  
16 a special election is. Now, the end result of that is this. The  
17 Election Board submitted to this Tribal Council a budget for this  
18 tribal territory wide election of \$28,000. The Tribal Council as  
19 well haired that budget down simply because there were no sufficient  
20 funds available and we gave them a bare bone budget of \$17,000 to  
21 hold this election here.

22 So, as a result of these 2 petitions heard by an  
23 unconstitutionally seated court, the end result is that we are gonna  
24 have to have 2 additional elections. And based upon the cost of  
25 previous elections, we're gonna have to find somewhere between \$20

1 and \$25,000 to conduct these 2 elections because in the words of  
2 the Chief Justice the other night at the court, there will have to be  
3 a special election on the amendments as well as a special election  
4 for the seat that was vacated by the death of Mr. David Carter.  
5 According to his wording that he used in the hearing the other night,  
6 even those 2 elections can't be held together.

7 So, we been placed in a delima here that I don't quite  
8 frankly know what the remedy is other than, number one, I'm hoping  
9 that this Tribal Council tonight will discuss the possibility of us  
10 sending a letter to the Chief Justice. Now, I know we can't tell the  
11 court what to do, I'm not suggesting that we tell the court what to  
12 do. There's no appeals process and I understand that as well. But  
13 in light of the fact that a formal opinion has not been given yet as  
14 stated in the letter that he gave to you, prior to that.

15 I would hope that this Council, and I'm gonna offer a  
16 motion that we do so, send Chief Justice a letter and ask him to  
17 reconsider his decision. Quite obviously to impress about being a  
18 special election would override what he has said. I'll piggyback on  
19 what Mr. Gerald Goolsby said, first of all that issue was not raised  
20 before the court.

21 So, he in fact, has issued a ruling from which no  
22 injunction nor relief has been sought. That was a matter that he  
23 inquired about, it was not part of the petition by Mr. Ray Little  
24 Turtle, nor was it a part of the petition that was offered by Dr.  
25 Anthony Blanks. He injected that argument into the process. So, if

1 he would reconsider that, and admit that that was in error, the  
2 Election Board still has time to properly post and submit the  
3 ordinances that will allow the election on the amendments to proceed  
4 at this election, thereby negating and saving this tribal government  
5 \$20 or \$25,000, if you'll simply just reconsider his ruling on the  
6 special election. We still have time to post the amendments in the  
7 newspaper according to the constitutional guidelines and still be  
8 perfectly legal in that aspect.

9 So, at this time, if it's in order, I'm gonna offer a  
10 motion that such a letter may be drafted by whatever manner you can  
11 gleam from what I said to be sent to the court, and I'd like to have  
12 a vote of the Council for support.

13 MR. LAWRENCE LOCKLEAR: Okay, so we got a motion  
14 that a letter be sent to the Chief Justice of the Supreme Court to  
15 reconsider their decision, is there a 2<sup>nd</sup> on that motion.

16 MR. SHELLEY STRICKLAND: I'll second it.

17 MR. LAWRENCE LOCKLEAR: Is there any discussion on  
18 the motion.

19 MR. GERALD GOOLSBY: Is it proper to, I mean, I just  
20 trying to do the right thing, is to proper to try to influence the  
21 judge after the hearing? I don't know, has it ever been done in the  
22 State Supreme Court, the United States Supreme Court.

23 MR. LAWRENCE LOCKLEAR: You can offer an opinion on  
24 a ruling.

1 MR. ED BROOKS: As long as you send a copy of the  
2 letter to the parties who petitioned, it's not an inappropriate  
3 contact with the judge.

4 MS. LINDA HAMMONDS: And Mr. Speaker, as part of that  
5 discussion and so that we can enter it in the official records, and I  
6 certainly thank Mr. Oxendine for bringing this tonight for reading,  
7 but you know, irregardless of what we think about the Constitution, a  
8 lot of the terminology was used because it was familiar to the  
9 people. When we used the term "special election", it's going back to  
10 the general statutes of 163 through 287, and here's what it reads for  
11 the state of North Carolina.

12 Just for record, "the special election may be held at  
13 the same time as any other state, county, or municipal primary  
14 election, or special election or referendum, but may not otherwise be  
15 held within the period of time beginning 30 days before and ending 30  
16 days after the date of any other primary election, special election  
17 or referendum held for that city or special district".

18 So, it's clear that a special election can be held at  
19 the same time as any other election.

20 MR. JAMES HAROLD LOCKLEAR: Mr. Welford, there was  
21 just something I read here about he would give us notice in 2 weeks  
22 about the rule, and so what you're asking us to do, -- they're taking  
23 time to study, to really evaluate, so we want to make a ruling here  
24 tonight to go ahead and resubmit to them a change maybe like a  
25 reconsideration.

1 MR. WELFORD CLARK: And that's correct, Brother.  
2 The timing is of the critical matter. If we're going to comply fully  
3 with the constitutional requirements about the 10-day posting and  
4 etcetera, that process has got to begin within the next 3 days.

5  
6 MR. OXENDINE: As long as we have 10 days to post the  
7 amendments, we can hold an election any time after that point, which  
8 we would still be within term by holding it November 14<sup>th</sup>. We may  
9 just have to recertify the amendments.

10 MR. JOHN LOWRY: As someone who fought hard against  
11 these amendments, poured my heart out against these amendments and I  
12 was beat down by my fellow Council members, which is fine, I do agree  
13 with you that we should send a letter stating what you just stated as  
14 far as the special election stuff, to the Supreme Court Justice and  
15 let's just see what happens there. I'm against them and I will vote  
16 against them, but if everything was followed properly, let's send a  
17 letter and that comes from somebody who was emotionally drained  
18 whenever he left this Tribal Council meeting that night fighting  
19 against those amendments so hard. That's my 2 cents worth.

20 MR. GERALD GOOLSBY: I'm kind of dittoing John. I  
21 think procedure is more important than issue and I think if we follow  
22 the procedure right, we should fight for the procedure and I will  
23 support the letter. I'm asking is this the only issues that they had  
24 with it. That's all they told us. Is there anything else that  
25 they're gonna have in this 2 weeks that they are gonna draft this

1 opinion, are they gonna come up with some more things. Because  
2 this is basically an injunction that says, hey, don't vote. There's  
3 nothing saying, Mr. Welford, that we can't go ahead and start posting  
4 immediately. I don't there, is there?

5 MR. WELFORD CLARK: I would think if I were the Tribal  
6 Administrator, I would be reluctant to start spending money buying  
7 newspaper space knowing that the court had ruled against. I think it  
8 would be unfair for us to ask him to spend money when the court has  
9 said not to spend.

10 MR. GERALD GOOLSBY: A question going on since, -- we  
11 didn't have the 100% part in bringing the amendments. You understand  
12 what I'm saying. If a petition was taken, I'm just asking procedural  
13 question. If a petition was taken on these amendments and it was  
14 signed and it passed, who paid for the election at that point?

15 MR. LAWRENCE LOCKLEAR: The Tribe.

16 MR. GERALD GOOLSBY: I'm talking about advertisement,  
17 I'm must saying, --

18 MR. LAWRENCE LOCKLEAR: Yeah, the Tribe.

19 MR. GERALD GOOLSBY: What liability or what  
20 responsibility, financial, the committee or whatever it is that they  
21 have in the financial aspects of it, other other than drafting it.

22 MR. LAWRENCE LOCKLEAR: Yeah, that would be it. Is  
23 there any more discussion?

24 MR. KENT HUNT: I also confide in my fellow Council  
25 members over there. I'm against the amendments, but I do want to

1 follow proper procedure and as Mr. Ed stated I think if we send  
2 a letter, they should also send it to the parties involved.

3 MR. SHELLEY STRICKLAND: My question is why the  
4 amendments were not posted?

5  
6 MR. LAWRENCE LOCKLEAR: That was the responsibility  
7 that fell on the Election Board's shoulders.

8 MR. JOHN LOWRY: Mr. Speaker, can we the Council  
9 members also get a copy? I mean even before it's sent off. I mean,  
10 you know, like if you're gonna send it Thursday, can we get it  
11 Wednesday.

12 MR. LAWRENCE LOCKLEAR: Oh before, yeah.

13 MR. GERALD GOOLSBY: During the 10-day posting, what  
14 happens? I mean, if John Oxendine Locklear Jones comes in there and  
15 I don't like these things, I think this should be whatever, just like  
16 a law or ordinance, do they have a right to ask for change or is this  
17 just notification as this is what's going on there.

18 MR. LAWRENCE LOCKLEAR: Yeah.

19 MR. GERALD GOOLSBY: You can't change it, you can't  
20 modify, this is it.

21 MR. LAWRENCE LOCKLEAR: That would be final. That's  
22 just posting, letting them know that's what the amendments will be.  
23 Once we get 2/3<sup>rd</sup> vote to send it to the Election Board, it is out of  
24 our hands at that point, the Council's hands. We were just a  
25 conduit.

1 MR. GERALD GOOLSBY: The 10-day notification is  
2 basically just for information to the general public.

3 MR. LAWRENCE LOCKLEAR: Pretty much. Is there any  
4 new discussion on this. Okay, if there's no new discussion, then  
5 we'll have a vote.

6 The motion is to send the letter to the Chief Justice  
7 of the Tribal Supreme Court to ask to reconsider their decision and a  
8 copy will be sent to all the participants, including the Tribal  
9 Council members. The Tribal Council members will be sent theirs  
10 prior to, so they'll have it. All those in favor of motion, say aye.  
11 (Aye responses.) All those opposed, say no. (Opposing responses.)  
12 Motion carries.

13 MS. PAM SPAULDING: I need some clarification. I had  
14 one question before Mr. Welford talked, now I got two. Okay, my  
15 question was, I was not able to be at the hearing and I appreciate  
16 you guys for being there, thank you, you did a fine job. Was it  
17 mentioned about the financial strain that it would place?

18 MR. LAWRENCE LOCKLEAR: Yeah, to be honest with you,  
19 the notion of the reason of not having the election because it being  
20 special election, that was unanticipated. So, that was something  
21 that we hadn't really considered.

22 MS. PAM SPAULDING: You see now, let me roll my  
23 sleeves up because I heard a little something something Mr. Welford  
24 say about, am I hearing ya'll say that you'll gonna ask for another  
25 election for District 3 and not have it on November 14<sup>th</sup>?

1 MR. WELFORD CLARK: If his ruling stands, that is  
2 the effect of it because that is in fact a special election to seat  
3 the Council representative in District 3.

4 MS. PAM SPAULDING: But they didn't ask for that.  
5 That was not on the -

6 MR. WELFORD CLARK: That's exactly right. No one asked  
7 for it.

8 MR. ED BROOKS: That's why it's in the letter.

9 MR. LAWRENCE LOCKLEAR: That wasn't a request in  
10 their petition that it be addressed.

11 MS. PAM SPAULDING: Okay, so, so. By my vote that I  
12 just did, I'm saying write the letter and if he still says no then  
13 he's gonna kick no to District 3 having an election on November 14<sup>th</sup>,  
14 is that what I hear?

15 MR. GERALD GOOLSBY: The court didn't rule on that.  
16 The court didn't know anything about a Tribal Council seat -

17 MR. WELFORD CLARK: Oh, yes they did. J

18 MS. LINDA HAMMONDS: Special election, read the  
19 writing.

20 (Lots of people talking at the same time.)

21 MR. LAWRENCE LOCKLEAR: It would effect all special  
22 elections from that point on.

23 MS. PAM SPAULDING: But it says amendments, it doesn't  
24 say anything about, on this letter, it does not mention, --

1 MR. LAWRENCE LOCKLEAR: That was because that  
2 is a special election and it could be a special election for any  
3 purpose.

4 MS. PAM SPAULDING: Okay, but it's been done before in  
5 the past.

6 MR. JOHN LOWRY: But, now, when the full ruling comes  
7 out, Ms. Pam, my personal interpretation, if I don't see anything  
8 dealing with that with the election in District 3, my personal  
9 opinion would that there is no problem with having the election on  
10 November 14<sup>th</sup>. But, law is about interpretation. So, it's ever how  
11 whoever enforces the law who interprets the law.

12 MS. PAM SPAULDING: Because I'll be honest with you.  
13 It don't matter to me, win, lose, draw, whoever, District 3 needs  
14 some help on this Tribal Council.

15 MR. WELFORD CLARK: The issue is either you can have a  
16 special election at the regular election or you can't. But you  
17 cannot decide which special election you can have and which one you  
18 can't have. Either you have them all or you have none.

19 MR. OXENDINE: The Constitution has the same reading  
20 for replacing a board member, special election for a board member as  
21 it does for an amendment. It's the same wording in the Constitution.  
22 So, if it's good for amendments, it ought to be good for board member  
23 also.

1 MS. PAM SPAULDING: My problem with that is,  
2 it's been done in the past and it was not addressed in this person's  
3 petition. That's my thing.

4 MR. LAWRENCE LOCKLEAR: Is there any more new  
5 discussion?

6 MR. GERALD GOOLSBY: The courts can't make a ruling  
7 based on how much it would cost us to have a election. The fairness  
8 of it. Because that's what we're struggling for now with our federal  
9 recognition, you keep bringing cost. Just because it cost this much  
10 for me to be recognized, doesn't mean I'm not, I'm still a Lumbee.

11  
12 So, I don't think the court can think about it's gonna cost the Tribe  
13 a cost of another electio when they make the ruling.

14 MR. LAWRENCE LOCKLEAR: Is there anything else,  
15 because we could go back and forth on this all night?

16 MR. SHELLEY STRICKLAND: Why were the amendments not  
17 posted, for the 2<sup>nd</sup> time? I wish somebody would give me an answer.

18 MR. OXENDINE: They are supposed to be posted within  
19 10 days of the certification.

20 UNIDENTIFIED SPEAKER: They were posted, but not in  
21 the paper.

22 MR. LAWRENCE LOCKLEAR: And the Constitution  
23 specifically states the newspaper.

24 **NOMINEES TO SUPREME COURT AND ADMINISTRATIVE COURT**

1 MR. LAWRENCE LOCKLEAR: We mentioned these at  
2 the last meeting, there was a vote to take no action on this issue.  
3 What I'm asking the Council for if we could go ahead and set a date  
4 for the confirmation hearing of these 2 nominees and by the way, the  
5 Executive Committee of the Council met with the Chairman and Tribal  
6 Administrator and we mentioned to Chairman Goins how we needed  
7 nominees to fill the vacancy on the administrative court as well as  
8 the Tribal supreme court. In fact, I think a few names were  
9 mentioned at that time, so that's something that we have brought to  
10 the Chairman's attention, that we do need these nominees to fill these  
11 seats, because it is a very very very important issue.

12  
13 But I'm asking the Council if we could go ahead and  
14 set a date to have the confirmation hearing on those 2 individuals.

15 MR. GERALD GOOLSBY: Can we get the resumes  
16 beforehand?

17 MR. LAWRENCE LOCKLEAR: I will ask tomorrow if we  
18 could get resumes.

19 MR. GERALD GOOLSBY: Secondly, does either of these  
20 have a law degree?

21 MR. LAWRENCE LOCKLEAR: No, I think these would be  
22 the three lay positions.

23 MR. GERALD GOOLSBY: How many do we have open.

1 MR. LAWRENCE LOCKLEAR: We have 3 positions  
2 open, two lay and one graduate from a law school. I don't think any  
3 time this month would be available.

4 In November, how about like November the 9<sup>th</sup>, or if you  
5 want to move it to later in the month.

6 MS. PAM SPAULDING: If it's not a lengthy procedure,  
7 could it not be on a night that we another scheduled meeting.

8 MR. LAWRENCE LOCKLEAR: I would not recommend that  
9 because our last hearing, I think, lasted about 3 hours.

10 (Discussion about different dates.) How does everyone feel about  
11 the 9<sup>th</sup>. Okay, if I hear no objections.

12 MS. LINDA HAMMONDS: Can't we do it later in the  
13 month?

14 MR. LAWRENCE LOCKLEAR: Somebody give me a motion?

15 MR. GERALD GOOLSBY: I offer a motion to do it on the  
16 9<sup>th</sup> at 6 o'clock.

17 MS. FRANCES CHAVIS: I second.

18 MR. LAWRENCE LOCKLEAR: Okay, we have a motion and a  
19 second that we have the hearing on November 9<sup>th</sup> at 6 o'clock. Is  
20 there any discussion?

21 MS. PAM SPAULDING: Lawrence, in the meantime, if  
22 there is another person's name that has the law experience, could we  
23 do that all at the same time.

24 MR. LAWRENCE LOCKLEAR: Yeah, if we get any more  
25 before then. So, I have a motion and a second that we have the

1 confirmation hearing on Thursday, November 9<sup>th</sup> at 6 o'clock.  
2 Hearing no discussion, all those in favor of the motion, say aye.  
3 (Aye responses.) Those opposed. (None.) Okay, motion carries.  
4 We'll them in our office that the main tribal office. So, the  
5 supreme court hearing will be on November 9<sup>th</sup> at 6:00 p.m. and unless  
6 anyone has any objections, we'll do it alphabetically by last name.  
7 Is that okay with everyone.

8 MR. JAMES HAROLD LOCKLEAR: I hear a plea from the  
9 churches about finding people to serve. And I think we need to get  
10 busy looking around and try to come up with some names and get this,  
11 -- I think it should be filled at all times.

12 MR. LAWRENCE LOCKLEAR: I agree with you, Mr. James.  
13 The problem is the Chairman makes those decisions and we can't do  
14 anything until he nominates the individuals. So, that's the hold up.  
15 But, yeah, I agree with you Mr. James, it does need to be filled. It  
16 is a very important, it's our third branch of government.

17 So, we'll have that hearing, so please put that on  
18 your calendar, Thursday, November 9<sup>th</sup>, 6:00 p.m. at the tribal office.

19 **FALMOUTH TRAINING**

20 MR. LAWRENCE LOCKLEAR: That will be next weekend.  
21 It's gonna be here from 9 to 4. That's next Friday and next  
22 Saturday. And that could change between now and then, so, -- it will  
23 be 9 to 4, that's next Friday and Saturday.

24 Now, at this time, so please, -- I'll just let Ms.  
25 Frances go down the list for those that are here and just tell her

1 when she calls your name whether you can attend or not. Because  
2 I told them I was going to try to get them the number tomorrow.  
3 There's gonna be about, I think, 30 some folks in attendance, there's  
4 gonna be representative from the administrative branch there. So,  
5 Ms. Frances.

6 Welford Clark: No.

7 Gerald Goolsby: Partial.

8 Linda Hammonds: Not sure at this time.

9 Kent Hunt: Come and go on Saturday.

10 Sharon Hunt: If we can come and go.

11 James Harold Locklear: I'll probably make it.

12 Joel Garth Locklear: If at all possible

13 Lawrence Locklear: Yes.

14 John Lowry: One day for sure.

15 Jimmy McNeill: (He had stepped outside)

16 Pam Spaulding: No, out of town.

17 Shelley Strickland: Partial.

18 MR. LAWRENCE LOCKLEAR: Does any have any questions  
19 about the Falmouth Training?

20 MR. JOEL GARTH LOCKLEAR: Tell us a little bit about  
21 this.

22 MR. LAWRENCE LOCKLEAR: Falmouth is out of Maine and  
23 I think some of the folks that went to the workshop had the chance to  
24 meet some of the folks from Falmouth. I think they're the premiere  
25 legal experts on Indian country as far as training is concerned and

1 everything. They will provide us training on responsibilities  
2 and how to be a better leader, Robert's Rules of Order and a couple  
3 of other things, so it should be pretty informative. If I can I'll  
4 to get you a copy of the agenda beforehand.

5 MS. PAM SPAULDING: We told that the head man, --

6 MR. LAWRENCE LOCKLEAR: Yes, I found out today the  
7 CEO and another trainer will be coming. So, we'll get the training  
8 from the big dog. But that's next Friday and Saturday.

9 **NEW BUSINESS**

10 (No new business to consider.)

11  
12 **COMMUNITY ANNOUNCEMENTS**

13 (MR. LAWRENCE LOCKLEAR reminded everyone of the 3-  
14 minute time limit on community comments.)

15 MS. RETHA FREEMAN: I got a question, this here is  
16 the so called budget for 2005, is the 2006 gonna be like this? I  
17 mean, I don't, -- this here says for housing 13 million, what I'd  
18 like to see a breakdown. All this type, he said the administrative  
19 salary and all come out of this, but it still it got there for tribal  
20 housing program 13 million dollars. And I want to get a breakdown of  
21 the budget for next year, and I think I'm a Lumbee Indian and I think  
22 I ought to be able to pick up one just like public record, I can go  
23 to the courthouse and pick up the budget for Robeson County and it's  
24 not just throwed together like this. Some people don't like me, but  
25 it don't bother me as long as the Lord loves me.

1           This is a unorganized board I've ever seen in my  
2 life. It's not - this ought to be run like corporation. And you  
3 come in late, you don't start on time, you sit and talk while the  
4 Chairman's talking and while other peoples talking. You know, I  
5 just believe that's one reason why we ain't got no further than we is  
6 because we do not respect one another, we're always afigting and  
7 atalking about one another and if was to run this Tribal Council and  
8 the administrative like a business, a corporation and not be in it  
9 just for the money.

10           Some of you, and ya'll's in it to help the Indians but  
11 some of you is in it for money. Because I asked a Tribal member one  
12 day when was the next meeting. "I don't know, I don't stay up with  
13 that mess", and he's in my district. Now, you tell me, is they  
14 interested in this. He said, "I don't know, I don't stay up with  
15 that mess." But I feel like it ought to be run like a corporation.  
16 The business part of it and that's the way, I mean, ya'll could get  
17 something accomplished if you would run it like a business. But, I  
18 mean, everything's got to have some kind of order and this here is  
19 the, --- I don't have a - I finished the 9<sup>th</sup>, but I used to have a  
20 corporation, I had one for almost 10 years. I sat with the Governor  
21 and I sat with a vice-president and all of them, and let me tell you  
22 something, that right there, that's an awful looking budget to me. I  
23 want to see it put in as a breakdown so we can know where the money  
24 is going. Where everybody was saying that so and so built the  
25 girlfriend a house and built the young'uns a house and you know they

1 bought diamonds and all this other stuff with it. You know, the  
2 people in Washington is a listening to every bit of this. And we  
3 ain't gonna never get recognized as long as and it be's greed in this  
4 world. There's one thing about it, God is a looking at everyone of  
5 us. And I'll tell you the truth, since I've been coming to these  
6 meetings and heard so much bickering and gossiping and all, I'm  
7 ashamed of the Lumbee Indians right here in Pembroke. Some of you  
8 because of what you're doing.

9 MR. LAWRENCE LOCKLEAR: Thank you, Ms. Freeman.

10 MS. PAM SPAULDING: Ms. Retha, we had a open public  
11 budget hearing September 28<sup>th</sup> at that time, detailed budgets were made  
12 available to, --

13 MS. RETHA FREEMAN: I was here.

14  
15 MS. PAM SPAULDING: They were made available to the  
16 public. It was not here, it was at the tribal office.

17 MS. RETHA FREEMAN: I was at it.

18 MS. PAM SPAULDING: Okay, then it was made available.  
19 We didn't see you there because there was only, --

20 MR. RETHA FREEMAN: I ought to be able to go and pick  
21 up a budget.

22 MS. PAM SPAULDING: You can, and you -

23 MS. RETHA FREEMAN: I called there, and don't let me  
24 call you something I know you're not. You don't know what you're

1 talking about. Because I called there and asked could I have a  
2 budget for this year, 2006, a breakdown of it.

3 MS. PAM SPAULDING: Who did you speak to, Ms. Retha.

4 MS. RETHA FREEMAN: I just asked the girl, whoever  
5 answered the phone.

6 MS. PAM SPAULDING: You need to call and ask to speak  
7 to Mr. Patrick Bullard, he has copies of that budget, they're made  
8 readily available to the public. They are line item budgets, it's  
9 very detailed they were given out September 28<sup>th</sup>.

10 MS. RETHA FREEMAN: I have there a lot of times and  
11 been put off.

12 MR. LAWRENCE LOCKLEAR: Mr. Leon, if you would,  
13 please get with Ms. Freeman before she leaves tonight and get her  
14 address and some way that you can get her a copy of the budget.

15  
16 We'd appreciate that. Thank you, sir. Thank you for your comments,  
17 Ms. Freeman.

18 Is there any one else. Please introduce yourself.

19 MR. PAUL HUNT: I really don't have to introduce  
20 myself, most of them up there know me, I'm Paul Hunt. I got some  
21 issues I'd like to talk to you about. There's things that goes on  
22 with the Tribal Council, they know it ain't right the way things  
23 goes. Take for instance, people who have a criminal record, you say  
24 you can't help them, if they need help on their house you can't help  
25 because they got criminal records, but yet the system can go out

1 there and purchase land for people that's had criminal records.  
2 And I have a nephew died with cancer, he fought to try to get a air  
3 conditioning in his house over 2 years. But I made a few phone  
4 calls, had to go to a county commission to ever talk to anybody at  
5 ya'll 's office. So, when I finally got through to them and talked  
6 to them, they put in the air conditioner, he stayed in the house a  
7 couple of weeks, but he was admitted in the hospital where he died.  
8 One of ya'll's employees supposed to be a good friend of mine, I'm  
9 not calling no names, he calls his wife and said, you know, you  
10 wouldn't never got that air conditioner because he had a criminal  
11 record back 20 years ago. She said it don't matter, he's dead and  
12 gone now.

13 That's the kind of people ya'll got working up there,  
14 and I talked to one of your workers the other day, when ya'll had the  
15 meeting up there the other night. I asked her what was her salary  
16 and she said I make about \$22,000 a year. Come to find out, she  
17 makes over \$40 some thousand dollars a year.

18 You think that's right for people to walk around and  
19 look you in the face and tell you a lie. That's the reason ya'll are  
20 going nowhere. And also I can tell you something else. You got  
21 people working up there with you that's got criminal records, is that  
22 right? But you can't help these people out here in the community  
23 because they got criminal records, what's the difference. You're  
24 telling me if I'm driving with something down the road and he's a

1 drunk driver, he's gonna get a ticket and I ain't drunk nothing,  
2 so is the law gonna give me a ticket too? No, he sure ain't.

3 So, if you do for one, do for all. I got a neighbor  
4 who live right there from me needs a air conditioner. I asked her  
5 had she talked to the tribal board about it and she said well I've  
6 talked to them, I can't get nothing done. Come to find out you know  
7 why they won't help her? Because her son lives with her and he's got  
8 a criminal record. That's a shame and a scandal and she's a widow.

9 Paid day coming one day children. Paid day's coming  
10 one day and you're gonna stand before the Lord, every wrongdoing that  
11 you done.

12 There's a lot that goes on over in that office. It's  
13 not fair to the community and not fair to Indian people. They  
14 haven't helped me, I'm not asking them to help me. But I feel like  
15 in my heart, a lot of the money is being misappropriated, being used  
16 for wrong reasons. Not being used like it ought to be used. That's  
17 the reason we're not going nowhere. We'll never get recognized on  
18 this faithful earth, I don't believe. I talked to a fellow here  
19 about 6 months ago, he's 90 some years old.

20 MR. LAWRENCE LOCKLEAR: Okay, Mr. Hunt.

21 MR. PAUL HUNT: One more question and I'll sit down.  
22 I said you reckon we'll ever get recognized. He said, son, my daddy  
23 was 100 years old when he died. He said they were fighting for  
24 recognition then. He said, and we ain't got it yet.

1 Folks there's something bad wrong with the  
2 community. And one of the fellows was up there at your meeting the  
3 other night and fighting against ya'll, all he's wanting is a job to  
4 try to make over \$100,000 a year. Now, tell me if I'm right or wrong  
5 my friend. Is I right? You know I'm right. I've been wanting to  
6 come to your meeting but I just hadn't got around to it.

7 MR. LAWRENCE LOCKLEAR: Thank you, Mr. Hunt. I  
8 fell compelled to respond. I have to agree with you about many  
9 things you said. One of the major misconceptions that tribal members  
10 have about our tribal government is that the tribal employees work  
11 for this Tribal Council. And a lot of times we get blamed for many  
12 things that we did not have a thing to do with.

13 And let me say a few other things. Our tribal  
14 government, the best way to explain how our tribal government is set  
15 up is if you think about your state government, our federal  
16 government, those two levels of government have 3 branches. You got  
17 the executive branch, legislative and judicial. The judicial branch  
18 of our government is the Tribal Supreme Court, the legislative branch  
19 is the Tribal Council, and the executive branch is the tribal  
20 administration.

21 Employees do not work for the Tribal Council. The  
22 only tribal employee that we have any say so over who gets hired is  
23 the tribal administrator, but he does not work for us. I've heard  
24 many things you had to say, I've had those expressed to me and  
25 sometimes, me and the Council members say they feel powerless about

1 it because those employees don't work for us. We can't go in  
2 that office and look at that employee and say, hey, you need to do  
3 this, you know, or even be fired because we don't have that  
4 responsibility, we don't have the authority.

5 What I recommend to the people that are listening, if  
6 you do have problems with that you take it up with you  
7 administration, your Tribal Chairman, Jimmy Goins is the chief  
8 executive, and then underneath him is the Tribal Administrator, Mr.  
9 Leon Jacobs, and then under Mr. Leon is the tribal employees. If you  
10 have concerns with what's going on with that, please feel free to  
11 contact those individuals. Because a lot to times we hear the same  
12 statements that you made, but most of those we don't have anything to  
13 do with those.

14 So, I just wanted to share that with you. I hope that  
15 helps clarify some thing with you, but if you do have problems with  
16 housing, administration, if someone should have gotten help and  
17 should not have gotten help, please contact administration. The  
18 Tribal Council, the way we're related to housing, is we write the  
19 policies, we write the laws and the tribal administration is supposed  
20 to carry out those policies. If it says that housing money shall be  
21 used to help the elderly, the disabled, and certain individuals, the  
22 administration is supposed to carry that out. Different folks have  
23 different opinions on how that is carried out. I just wanted to say  
24 that to you. But I do appreciate you coming and offering those  
25 comments and I encourage you to come back and please encourage other

1 tribal members to come with you because a major problem wit our  
2 people is that they're not knowledgeable of our government is set up  
3 and that's not necessary a fault of theirs, but would encourage they  
4 would come to learn more about our government and learn more about  
5 how it works because if you see a problem with the government and you  
6 know how the government works, you know how to get to the source of  
7 that problem and how to fix that problem.

8 So, I would encourage you to please come back and  
9 please bring a different person with you to every meeting and have  
10 them bring someone because it's really sad when we have a meeting and  
11 we have 3 folks sitting in the audience. We've had meetings where  
12 we've had, most of our meetings, they're like this, maybe less and  
13 most of the folks that are here are Council, those employed by the  
14 Tribe, we have the media and then some of the other folks always come  
15 to all of our meetings, so we would encourage please bring some other  
16 folks with you, please get our tribal members to come out to the  
17 meetings.

18 Does anyone else have, --

19 MR. PAUL HUNT: I got one more question. Now, ya'll  
20 don't have enough power to go (inaudible), --

21 MR. LAWRENCE LOCKLEAR: We do bring attention like  
22 if someone has an application in, they come to us and we do go to  
23 administration and point out, hey, this and this and this is going on  
24 and we do let them know about the problems, but we can't go in there  
25 and tell them that you have to do this or you have to help that

1 person. It's just the way our government is set up with the  
2 separation of powers. We can bring issues to their attention and we  
3 do do that. But as far as directing them to who they should and  
4 should not help, that's the decision of the administration.

5 MR. PAUL HUNT: Well, I can't prove, but I'm gonna  
6 find out. I think you got people driving vans (inaudible) with no  
7 driver's license.

8 MR. LAWRENCE LOCKLEAR: Like I said that's something  
9 that definitely get in contact with the administration.

10 MR. PAUL HUNT: There's something else I'm gonna check  
11 into too. I'm gonna over to that store and find out how much gas  
12 we've bought, personal vehicles running up and down the road.

13 MR. LAWRENCE LOCKLEAR: And if you do find, please  
14 contact the Council because the Council does have oversight on many  
15 issues. We can bring attention to a lot of issues and a lot of  
16 concerns that we do find, just let us know. I do appreciate your  
17 comments.

18 MR. GARY STRICKLAND: Anybody wanting to buy tickets  
19 for golf balls, I'm back here. I'll be here. I appreciate, I know  
20 the job that you have is very tough and is spoken to the Tribal  
21 Council, I know your jobs are very tough, I'm talking to tribal  
22 administration and the employees. I think it 200 years to get the US  
23 government in the shape that it's in. I don't think Rome was built  
24 in a day. I think the Tribe it's gonna take a while to get all the  
25 kinks worked out. I guess my only comment to that would be that

1 hopefully we will be able to work together. I think everybody  
2 that's sitting up at that table and in here, we hope they realize  
3 that everything that we'll doing is for our people, for our future,  
4 and a lot of problems won't be solved with this generation, but  
5 hopefully with generations to come, that those problems will be  
6 worked out. Thank you.

7 MS. RETHA FREEMAN: How do you get up with Mr. Goins.  
8 I'm called his office before. I was wanting to ask about this here  
9 and his own secretary, I told her she was telling a lie. Now, Jimmy  
10 Goins, I seen him at a setting up and he said he hadn't got no  
11 messages from me about a month ago. And she told me, she said, Ms.  
12 Retha, I'm not lying, she said I put every one of his messages on his  
13 desk. So, how do you get up with Jimmy Goins?

14 MR. WELFORD CLARK: We'll get his home address.

15 MS. RETHA FREEMAN: I know where he stays.

16 MR. GERALD GOOLSBY: If any tribal member or others  
17 has any questions or alligations or thought of impropriety or  
18 conflict of interest of misuse, they should direct in a written form  
19 to the Ethics Committee and let Ethics Committee follow up on it. We  
20 got one such to do now that a tribal member has did and we won't  
21 publicize everything until we investigate it, but that's proper  
22 procedure. That's the way to handle it.

23 MR. LAWRENCE LOCKLEAR: Are there any other comments  
24 from members of the audience.

1 MR. JAMES HAROLD LOCKLEAR: Ms. Freeman, where do  
2 you live, what district you live in?

3 MS. RETHA FREEMAN: District 7.

4 MR. JAMES HAROLD LOCKLEAR: In my district? You come  
5 to all of the community meetings?

6 MS. RETHA FREEMAN: Whenever I know. You're the one I  
7 asked at Walmart, remember?

8 MR. JAMES HAROLD LOCKLEAR: Yeah.

9 MS. RETHA FREEMAN: And I asked you when was the  
10 meeting, --

11 MR. JAMES HAROLD LOCKLEAR: Oh, so you were referring  
12 to me when I said I didn't know?

13 MS. RETHA FREEMAN: Yes, you said, "I don't keep up  
14 with that mess". That's just what you told me. Remember I asked  
15 you. I didn't know you was in my district until a lady told me. I  
16 was there at Walmart and I was talking to you and I asked you if you  
17 was in my district. And you're the very one I asked. You had on a  
18 blue plaid shirt.

19 MR. JAMES HAROLD LOCKLEAR: You don't have to tell all  
20 that.

21 (Lot's of laughing!)

22 Do you come to the community when they're held. I  
23 mean, they are published.

24 MS. RETHA FREEMAN: I don't get a newspaper, sir.

1 MR. JAMES HAROLD LOCKLEAR: So, you just walk up  
2 in the street and ask, you know.

3 MS. RETHA FREEMAN: No.

4 MR. JAMES HAROLD LOCKLEAR: Let's drop it. I'm sorry  
5 I asked you that question.

6 MS. RETHA FREEMAN: Well, you drop it, 'cause you know  
7 you was 'cause ought to have told me.

8 MR. JAMES HAROLD LOCKLEAR: I just should have said I  
9 don't know and went on.

10 MR. LAWRENCE LOCKLEAR: Okay, I thank you for  
11 community comments.

12 **ANNOUNCEMENTS**

- 13 • Next Tribal Council meeting is on November 16<sup>th</sup> in  
14 Fairmont, either at Fairgrove School or Green  
15 Grove School.
- 16 • November 3<sup>rd</sup> - Ribbon cutting/opening of the  
17 Native American Museum at the North Carolina  
18 Indian Culture Center at 12:00 p.m.
- 19 • Tomorrow night at 7:00 p.m. at South Robeson High  
20 School before kick-off, the Tribal Veterans  
21 Association will hold a pinning honoring ceremony  
22 for Joshua Deese, who was killed in Iraq.  
23 Attending Tribal Council members are asked to  
24 wear regalia.

- 1                   • November 3<sup>rd</sup>, the Senior Citizens Coalition,  
2                   the Native American Coalition is having a pageant  
3                   at Holiday Inn in Fayetteville, starting at  
4                   lunchtime with different workshops during the  
5                   day, concluding with a banquet and pageant in the  
6                   evening.

7  
8                   MR. LAWRENCE LOCKLEAR:    There is a draft resolution  
9                   entitled "Elimination of Health Disparity in North Carolina American  
10                  Indian Population". I got that yesterday or day before yesterday. I  
11                 just wanted to let you know it was in here. This will be considered,  
12                 discussed in committee and brought back before the Council at a later  
13                 day.

14                 Flip on over, I got an e-mail from American Indian  
15                 Mothers, they have been given a grant from the North Carolina Health  
16                 and Wellness Trust Fund to implement Circle of Life Wellness Program.  
17                 There's an e-mail form them you can read and I think Ms. Collins is  
18                 planning to attend the committee meeting to talk some more with the  
19                 Council about wellness program and a couple of other things.

20                 If you flip on over, there is a letter from Ms. Rosa  
21                 Revels Winfree, a former member of the Council. She is announcing a  
22                 conference entitled "Celebrating Women of Proud Nations" creating and  
23                 sustaining hope in American Indian women and their families. The  
24                 conference is gonna be in January at Wake Forest University. There

1 is more information in the letter about the conference. I just  
2 wanted to make you aware of that.

3 Don't forget to buy a golf ball.

4 Are there any other announcements?

5 MS. LINDA HAMMONDS: Mr. Speaker, I would just like to  
6 thank Mr. Oxendine for showing up here tonight on the Board of  
7 Elections. I know he thought he was coming into the lion's den. I'm  
8 sure he's well aware, at least, most of our concerns and whatever,  
9 but I do appreciate you coming here tonight. I think that says an  
10 extraordinary amount about the character that you have and I'd just  
11 like to put that on the record.

12 MR. WELFORD CLARK: I concur with that. Two things.  
13 Number one, the non-profit corporation, Lumbee Nations Tribal Program  
14 Board of Directors meeting will meet Monday night at 6:30 at the  
15 tribal office. The public is invited to come. We have discussion we  
16 need to do concerning the banking account and how we want to properly  
17 take care of this in its relationship to other tribal account. We  
18 need to discuss some issues concerning by-laws and some kind of  
19 protocol of notification and that kind of stuff.

20  
21 We have a \$450,000 debt and we're not collecting our  
22 rent on time so we need to discuss our rental agreement with the  
23 tribal administration so we can get our money to pay our bill before  
24 we get to go to debtors prison.

1                   And the next thing regarding Tribal Council  
2 meetings, I'd also like to put in a bid right now that the June  
3 Tribal Council meeting will be held on Singletary Church Road in  
4 Lumberton, North Carolina at First Nations Community Center and Boys  
5 and Girls Club in its new building. And I promise you when you come,  
6 that you'll be hosted, you will be fed. When I came back from  
7 overseas the first time on a ship, the USNS General William O. Darby  
8 and when we got into the Brooklyn Naval Yard, the Salvation Army band  
9 there was playing, there was girls blowing kisses at us, and I'll  
10 tell and that's the welcome we received. I'm telling you when you  
11 come to District 14, bring your shouting shoes.

12                   Just so the world will see, make no mistake about it.  
13 The tribal administration and the Tribal Council do have issues, but  
14 you make no mistake about this point. We are still getting the work  
15 done, in spite of the issues that confront us, we are getting the  
16 work done. We manage somehow in the midst of the trials and  
17 tribulations, we do get the work done. The houses are still being  
18 rehabbed, down payment assistance is still being rendered, folks are  
19 still getting mortgage protection, and all the other services, and  
20 folks are still getting LEHEAP, they're still getting all the other  
21 services. The checks are still being written everyday. So, don't  
22 misunderstand the harshness by which we speak to each other  
23 sometimes, don't think that we're not getting the job done. The  
24 tribal administration is getting it done, and the Tribal Council is  
25 getting it done. Put that in the book.

1 MR. JAMES HAROLD LOCKLEAR: And let me say  
2 something to that effect. On the gentleman back there when he was  
3 talking about people had been to prison and things like that, but  
4 there are laws the govern us, that govern these type issues and it's  
5 the law. And so he needs to look at that, he needs to see that and  
6 what it says so you don't become confused. And we do, we have a lot  
7 of problem with hearsay. People sitting around talking about the  
8 Tribe and what they're doing and they have no ideal. But we do a lot  
9 of things that you're not aware of. And things we do, we do try to  
10 help our people. We can't help everybody, but we do try to help our  
11 people.

12 MR. PAUL HUNT: My question wasn't about that, my  
13 friend. A lot of times, it might pay to stay quiet. My question was  
14 you can't help a person that's got a criminal record. But you can  
15 take government money and buy stuff from people that's got criminal  
16 records. That's the point I was talking about.

17 MR. JAMES HAROLD LOCKLEAR: Okay, well that's all  
18 right.

19 MR. PAUL HUNT: And another thing, everything that  
20 be's spent, government money from that Tribal Council goes to Metcom,  
21 why is that?

22 MR. JAMES HAROLD LOCKLEAR: Well, --

23 MR. PAUL HUNT: You give me an answer why is that?

24 MR. JAMES HAROLD LOCKLEAR: Listen, sir, --

1 MR. PAUL HUNT: Just give me one answer. That's  
2 all you got to do.

3 MR. JAMES HAROLD LOCKLEAR: Let me give you an answer,  
4 let me give you an answer. I was stating on the application form  
5 when it comes that you have to do, in other words, to qualify for  
6 that. That question is on there. And they have to answer that  
7 question. That's all I'm saying. What you're talking about the  
8 other stuff is not an issue tonight, but the thing that you were  
9 asking when you first starting talking, you were talking about  
10 criminal record. And there's people I have in my district that I  
11 can't help because they have criminal records. You see and everyone  
12 of we districts are just like that. It's not our fault, it's the  
13 law.

14 MR. PAUL HUNT: Okay, that's the law. All right,  
15 answer this question for me then. If it's against the law, you can  
16 help people in your community, if they got criminal records, then  
17 it's against the law to take that money and pay those people that's  
18 working up there in the office that's got criminal records. Okay.  
19 And I ain't saying nothing else. I'm said all I'm gonna say. I'll  
20 come back to your next meeting.

21 MR. JAMES HAROLD LOCKLEAR: Well, do that, please do.  
22 We may have some answers for you.

23 MR. LAWRENCE LOCKLEAR: Thank you.

24 MS. SHARON HUNT: If you'll buy my tickets that I got  
25 left over the senior citizens at Heritage Haven in Fairmont, they are

1 giving away a quilt tomorrow. My tickets are cheaper than Mr.  
2 Gary's. Mine are only a dollar, so you can get 5 tickets as opposed  
3 to one golf ball.

4 Ms. Retha, just for your information, if you can  
5 remember that normally the Council meetings will be the 3<sup>rd</sup> Thursday  
6 of each month.

7 MS. RETHA FREEMAN: I remember this one here.

8 MS. SHARON HUNT: Yeah, unless it's like a holiday  
9 month or something like that.

10 MS. RETHA FREEMAN: When you draw \$655 a month, who  
11 can afford to buy a newspaper just to find out when the meetings is.

12 MS. SHARON HUNT: I was just telling you about the  
13 regular meeting.

14 MR. LAWRENCE LOCKLEAR: Okay, any other comments?

15 MR. LEON JACOBS: Mr. Speaker, you mentioned Heritage  
16 Haven, the dedication of these new units is November 3<sup>rd</sup>. We've got a  
17 lot that particular day, at 11 o'clock in the morning, with lunch  
18 being served on the site and walk through. We tried to get McIntyre  
19 and folks from the congressional staff and I hope that all of you can  
20 come. We've invited the mayor and the county commissioners and so  
21 forth.

22  
23 MR. LAWRENCE LOCKLEAR: And for those of you who  
24 don't, Heritage Haven is in Fairmont on Marion Stage Road.

1 MR. LEON JACOBS: You'll have something in your  
2 box tomorrow.

3 MR. LAWRENCE LOCKLEAR: Thank you, Mr. Leon.

4 At this point, do I hear a motion to go into closed  
5 session?

6 MR. JOHN LOWRY: I make a motion that we go into  
7 closed session.

8 MR. JAMES HAROLD LOCKLEAR: Second.

9 MR. LAWRENCE LOCKLEAR: The purpose is for an update  
10 on federal recognition and some land purchases. We take a 5-minute  
11 break and then go into closed session. All those in favor, say aye.

12 (Aye responses.) All those opposed? (None opposed.)

13 (MEETING ADJOURNED INTO CLOSED SESSION)

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