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**THE LUMBEE TRIBE OF NORTH CAROLINA**  
**LUMBEE TRIBAL COUNCIL MONTHLY MEETING**  
**ComTECH FACILITY, PEMBROKE, NORTH CAROLINA,**  
**THURSDAY, OCTOBER 16, 2008**

- 6:30 P.M. -

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**Transcribed by:**  
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	<b>Index:</b>	<b>Page / Line</b>
1	Call to Order	3 / 2
2	Invocation	3 / 11
3	Pledge of Allegiance	3 / 16
4	Roll Call	3 / 20
5	Approval of Agenda	4 / 21
6	Approval of Tribal Council's Actions	8 / 24
7	Community Comments	14 / 1
8	Constitution and Ordinance Committee Report	20 / 16
9	Economic Development Committee Report	75 / 3
10	Education and Culture Committee Report	78 / 24
11	Ethics Committee Report - not presented	80 / 24
12	Federal Recognition Committee Report	81 / 13
13	Finance Committee Report	82 / 15
14	Health and Human Services Committee Report	92 / 20
15	Housing Committee Report	102 / 18
16	Calendar at Review and Additions	110 / 2
17	Benediction	111 / 3
18		
19		
20		
21		
22		
23		
24		
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2 LAURA SAMPSON: Good evening and welcome. We want  
3 to welcome you to the business meeting of the Lumbee Tribal  
4 Council, Thursday October 16th at 6:30. It is now 6:30. We will  
5 call this meeting to order.

6 Can we have an invocation first, Mr. Kernice  
7 Locklear? If you would please stand, remove your hats. If you  
8 have a cell phone, if you would turn that off or turn it on  
9 vibrate, we would certainly appreciate it. Mr. Kernice Locklear  
10 will give our invocation.

11 (The Invocation was given by Councilman Kernice  
12 Locklear.)

13 LAURA SAMPSON: At this time, we will have our  
14 pledge of allegiance. We'll ask Mr. James Harold Locklear if he  
15 would lead us in the Pledge of Allegiance.

16 (The Pledge of Allegiance was lead by Councilman James  
17 Harold Locklear.)

18 LAURA SAMPSON: Madame Secretary, may we please  
19 have a roll call.

20 (Roll Call was given and the following Lumbee Tribal  
21 Council Representatives were present:)

22 Audrey Hunt, District 1

23 Sharon Hunt, District 2

24 Louise Mitchell, District 3 (Arrived later)

25 Laura Sampson, District 3

1 Pam Spaulding, District 3  
2 Helen Locklear, District 4  
3 Kernice Lee Locklear, District 5  
4 John Lowery, District 5  
5 Frances Chavis, District 6  
6 Larry Chavis, District 6  
7 Ray Littleturtle, District 7  
8 James Harold Locklear, District 7  
9 Wendy Moore-Graham, District 7 (Arrived later)  
10 Steve Sampson, District 8  
11 James Taft Smith, District 9  
12 Brad McMillian, District 10  
13 Richard Locklear, District 11 (Present via telephone  
14 conference)  
15 Furnie Lambert, Jr., District 12  
16 Shelley Strickland, District 12  
17 Ricky Burnett, District 13  
18 Welford Clark, District 14  
19 FRANCES CHAVIS: We have a quorum.  
20 (Quorum for the Tribal Council Meeting was reached.)  
21 **Review and Approval of the Agenda**  
22 LAURA SAMPSON: Thank you, Madame Secretary. At  
23 this time, we'll review and approve the agenda. Are there any  
24 additions to the agenda, any questions or concerns?  
25 STEVE SAMPSON: Madame Speaker, I'd like to add

1 something up under my committee, Health and Human Services, if  
2 I'm not bothering the Council.

3 LAURA SAMPSON: All right.

4 STEVE SAMPSON: I'd like to add an addition to  
5 mine, to my committee report. I'd like to add something to mine  
6 that's not in the packet.

7 LAURA SAMPSON: Do you want to state what that is,  
8 Steve?

9 STEVE SAMPSON: That's "Our Energy, Our Future."  
10 Some of you, I passed out card at the beginning of the meeting.  
11 This is something -- a dialogue that we need to begin. It won't  
12 take but a minute. It's very good information.

13 Thank you.

14 LAURA SAMPSON: I do not have a problem adding that  
15 to the agenda. Anybody else to add to the agenda? Ms.  
16 Spaulding?

17 PAM SPAULDING: I would like to add a closed  
18 session to the agenda under Constitution, if need be.

19 LAURA SAMPSON: I apologize. Would you please  
20 restate that, Ms. Spaulding?

21 PAM SPAULDING: I'd like to add a closed session  
22 under Constitution and Ordinance, if the need arises, if need be.

23 LAURA SAMPSON: Ms. Spaulding is asking that we add  
24 closed session under Constitution and Ordinance, should the need  
25 arise.

1 JAMES LOCKLEAR: Does it need a second or a vote?  
2 LAURA SAMPSON: If there's -- I do not have a  
3 problem with it.  
4 JAMES LOCKLEAR: I don't either.  
5 LAURA SAMPSON: Mr. Clark?  
6 WELFORD CLARK: Wouldn't it be proper to state what  
7 the -- what the subject of this closed session --  
8 LAURA SAMPSON: Are you asking her to do that?  
9 WELFORD CLARK: Yes, I am.  
10 LAURA SAMPSON: Ms. Spaulding.  
11 PAM SPAULDING: I'm sorry, I had to bring this with  
12 me because I knew this would come up. This is going to do -- to  
13 deal with positive -- possible qualifications, performance,  
14 character of appointed officials.  
15 LAURA SAMPSON: Okay. Mr. Clark? Does that  
16 clarify that for you?  
17 WELFORD CLARK: Yes, it does.  
18 PAM SPAULDING: And that's in -- it does allow for  
19 that in closed session.  
20 WELFORD CLARK: I will simply say this, if the  
21 official is an elected -- an official by the body, whose  
22 appointment was made in public, then the discussion of the  
23 official has to be done in public as well.  
24 JAMES LOCKLEAR: Can I call for a roll call vote?  
25 LAURA SAMPSON: Ms. Spaulding, are you making that

1 in the form of a motion?

2 PAM SPAULDING: I did.

3 LAURA SAMPSON: There is a motion on the floor that  
4 we go into closed session as it relates to the agenda.

5 JAMES LOCKLEAR: Second.

6 LAURA SAMPSON: And a second. All in favor?

7 I apologize. I do need to make one announcement.  
8 As you do see, we do have a court reporter here tonight. And I  
9 would ask that you please speak loud and clear so that she can  
10 hear you, so that we may have an accurate record.

11 I would ask that each speak one at a time please.  
12 If you would do that for us, that would make her job a lot  
13 easier. Thank you.

14 There is a motion on the floor and a second that  
15 we go into closed session should that need arise. All in favor?

16 (Ayes were given.)

17 LAURA SAMPSON: Any opposed?

18 WELFORD CLARK: I oppose.

19 LAURA SAMPSON: The ayes have it.

20 ("Motion 1" was passed to go into closed session to  
21 discuss an elected official position.)

22 LAURA SAMPSON: Any other additions to the agenda?  
23 Mr. Locklear?

24 KERNICE LOCKLEAR: I think -- is Mr. Richard on the  
25 phone?

1 FRANCES CHAVIS: Mr. Richard's on the phone.

2 KERNICE LOCKLEAR: Okay, okay. I just wanted you to  
3 be aware.

4 LAURA SAMPSON: Madame Secretary, did you get that?

5 FRANCES CHAVIS: Yes, uh-huh.

6 LAURA SAMPSON: She has that. Hearing no other  
7 additions or subtractions to the agenda, do I hear a motion that  
8 we approve the agenda?

9 RAY LITTLETURTLE: I make a motion that we approve the  
10 agenda with any typographical errors or grammatical errors.

11 LAURA SAMPSON: What was that, Mr. Ray? Could you  
12 --

13 PAM SPAULDING: He made a motion to approve the  
14 agenda with any grammatical or typographical errors corrected.

15 LAURA SAMPSON: Mr. Ray made a motion to approve  
16 the agenda with the changes. Is there a second?

17 JOHN LOWERY: Second.

18 LAURA SAMPSON: Again, all in favor?

19 (Ayes were given.)

20 LAURA SAMPSON: All opposed?

21 (No nays were given.)

22 ("Motion 2" to approve the agenda with amendments was  
23 approved.)

24 **Review and Approval of Tribal Council's Actions from**

25 **September 18, 2008 Meeting**

1           LAURA SAMPSON:           Moving right along, review and  
2 approval of Tribal Council motions. Ms. Spaulding?

3           PAM SPAULDING:           The Tribal Council actions last  
4 month included a motion to table the vote for Mr. Garth Locklear,  
5 and that was not included in our motions.

6           LAURA SAMPSON:           Excuse me?

7           PAM SPAULDING:           The motions for last month included  
8 a motion to table the vote for Mr. Garth Locklear to the Supreme  
9 Court. And that motion is not listed on our motions.

10           I mean, it's not in our Tribal Council actions. It was  
11 in -- it should have been under Constitution.

12           LAURA SAMPSON:           Yes, Mr. John.

13           JOHN LOWERY:           Ms. Pam, I thought I just withdrew  
14 my motion. I don't recall that. I don't really remember voting  
15 on it.

16           PAM SPAULDING:           No, you didn't make a motion to  
17 withdraw.

18           JOHN LOWERY:           I mean, yeah, but what I'm saying,  
19 I just really don't --

20           PAM SPAULDING:           And you said you would withdraw,  
21 but we also voted to table it until the next meeting.

22           JOHN LOWERY:           Okay.

23           LAURA SAMPSON:           Okay. John?

24           PAM SPAULDING:           I mean, I just said for the record  
25 it should be included.

1           LAURA SAMPSON:           Okay, so is that in the form of a  
2 motion?

3           PAM SPAULDING:           Yes.

4           LAURA SAMPSON:           And what is your motion, Ms.  
5 Spaulding?

6           PAM SPAULDING:           That we add to the Tribal Council  
7 actions for September 18th that there was a motion to table the  
8 vote for Mr. Garth Locklear until the October meeting.

9           LAURA SAMPSON:           So, that is a motion to table the  
10 Garth Locklear --

11          PAM SPAULDING:           Supreme Court nomination.

12          LAURA SAMPSON:           Until when?

13          PAM SPAULDING:           We tabled it for thirty days, I  
14 thought.

15          STEVE SAMPSON:           Thirty days.

16          PAM SPAULDING:           It was a 30-day table.

17          JAMES LOCKLEAR:          Ms. Speaker?

18          LAURA SAMPSON:           Yes, Sir, Mr. Locklear?

19          JAMES LOCKLEAR:          At the last meeting we had, Mr.  
20 Garth Locklear was here. And we tabled it because we allowed  
21 time for the thirty days, which was not quite up. Those thirty  
22 days are up and he's here tonight. So, I think we should go  
23 forward with this without tabling it.

24          LAURA SAMPSON:           Are you making that in the form of  
25 a motion?

1 PAM SPAULDING: Excuse me.

2 SHARON HUNT: Mr. James Harold, --

3 PAM SPAULDING: I'm not asking --

4 SHARON HUNT: She's only saying it should be  
5 added to the list of Council's action.

6 JAMES LOCKLEAR: Yeah, okay. Well, that's --

7 PAM SPAULDING: I'm not asking that it be tabled  
8 tonight.

9 JAMES LOCKLEAR: -- to table it. Oh, okay. All  
10 right.

11 PAM SPAULDING: I'm just asking for the correction  
12 of the Council motions.

13 JAMES LOCKLEAR: Okay, good. Thanks for correcting  
14 them. Second.

15 (Louise Mitchell joined the meeting in progress.)

16 LAURA SAMPSON: Okay. Any other changes,  
17 additions, subtractions to the Tribal Council motions for the  
18 previous month? Hearing none, is there a motion?

19 SHARON HUNT: Motion to approve the Council  
20 motions with the changes.

21 AUDREY HUNT: Second.

22 LAURA SAMPSON: There's a motion to approve the  
23 actions with changes and a second. All in favor.

24 (Ayes were given.)

25 LAURA SAMPSON: All opposed?

1 (No nays were given.)

2 ("Motion 3" to approve the September Tribal Council's  
3 actions with corrections was approved.)

4 LAURA SAMPSON: Moving right along on the agenda  
5 will be Community Comments. I would remind you that our  
6 Community Comment session is limited to fifteen (15) minutes. We  
7 will take the first five persons on our list, and you will have  
8 three (3) minutes each.

9 We would remind you that we do demand the respect  
10 of the Council as you are speaking. We also will demand the  
11 respect of the audience as you are speaking. You will not be  
12 allowed to personally attack anyone on this Council or in the  
13 audience.

14 So, I thank you in advance for your courteousness  
15 and your kindness.

16 First on the list is Ms. Venita.

17 AUDREY HUNT: Can you tell me how many people  
18 have signed up?

19 LAURA SAMPSON: We have six (6) people who have  
20 signed up.

21 AUDREY HUNT: Okay. I make a motion that we  
22 extend the time to get all six (6) people in to speak.

23 LOUISE MITCHELL: I'll second it.

24 WELFORD CLARK: Second.

25 LAURA SAMPSON: And what is that time-frame to be

1 exact?

2 AUDREY HUNT: Well, if there's fifteen (15)  
3 minutes for five (5) it would be eighteen (18) to twenty (20)  
4 minutes. It depends on whether the Tribal Council interrupts  
5 their --

6 LAURA SAMPSON: Well, I would ask --

7 STEVE SAMPSON: Yeah, we shouldn't. Let them  
8 speak.

9 AUDREY HUNT: Because sometimes we input, and  
10 when we do we're taking away their voices.

11 LAURA SAMPSON: There's a motion on the floor that  
12 we extend it by three (3) minutes so that we hear the last  
13 person.

14 STEVE SAMPSON: So moved.

15 LOUISE MITCHELL: I seconded it. It's already been  
16 seconded it. I seconded it.

17 LAURA SAMPSON: All in favor?

18 (Ayes were given.)

19 (No nays were given.)

20 ("Motion 4" to extend the time for Community Comments  
21 was approved.)

22 LAURA SAMPSON: Community Comments have been  
23 extended to eighteen (18) minutes.

24 Mr. Parliamentarian, if you would please make note of  
25 that.

1 Community Comments

2 LAURA SAMPSON: First on the list is Ms. Cookie  
3 Clark. If you would please come forward and state your name.

4 VENITA CLARK: My name is Venita Cookie Clark and  
5 I hope everybody's doing good this evening.

6 LAURA SAMPSON: Ms. Clark, if you would just stand  
7 right next to the table where the Court Reporter is.

8 LOUISE MITCHELL: She asked her to come up her so she  
9 could get it.

10 LAURA SAMPSON: Oh, do we have a microphone?

11 STEVE SAMPSON: It's taped to the desk.

12 LAURA SAMPSON: Thank you.

13 VENITA CLARK: I want to know when is this Tribal  
14 Council going to act like a Tribal Council? There's too much  
15 bickering, prejudice and too many people have their own list of  
16 things they want to do.

17 I would like to see the Tribal Council do  
18 something for the Tribal Members other than making the front page  
19 of the Robesonian. Does anybody realize just how bad that makes  
20 the Lumbee Tribe look? Because we have Senators who have their  
21 people who cut out every single article that is written about the  
22 Lumbee Tribe.

23 We need to make the peace. We need to help our  
24 people. We need to remember it is about "We, the Lumbee People,"  
25 and not just me. And I want to thank you for your time. That's

1 all I have to say. I sincerely hope you will think about it  
2 because we need a positive image in Washington if we are ever  
3 going to get Federal Recognition.

4 We need to quit fussing, fighting, bickering and  
5 picking on each other. Thank you, Madame Chairman.

6 LAURA SAMPSON: Thank you so much, Ms. Clark, for  
7 your comments. Next on the list is Eric Locklear.

8 ERIC LOCKLEAR: I'd like to begin by saying thank  
9 you to all the members of the Lumbee Tribe who have come tonight  
10 to witness your government.

11 The preamble of the Lumbee Tribe of North Carolina  
12 Constitution states:

13 (Reading document.)

14 "The Tribe adopts this Constitution for the purposes  
15 of establishing a Tribal Government structure,  
16 preserving for all time the Lumbee way of life and  
17 community, promoting the educational, cultural, social  
18 and economic well-being of Lumbee people, and securing  
19 justice and freedom for the Lumbee People."

20 Madame Speaker, I ask from this point forward that  
21 the preamble be read at the beginning of every committee and sub-  
22 committee meeting of the Lumbee Tribe.

23 Secondly, I remind the Tribal Council of the  
24 Election Board ordinance that specifically states that if any  
25 individual has been deemed to be in violation of the Election

1 Board ordinance that said individual is secluded from Tribal  
2 election activity for a period of four (4) years.

3 I also advise the Tribal Council that such matters  
4 ought to be under the jurisdiction of the Election Board, and  
5 ought not to find themselves in the business items through the  
6 Tribal Council.

7 Finally, and regrettably, as she has received a  
8 vote of no-confidence from her peers, and is alleged to have  
9 violated the Constitution of this land, on behalf of all Lumbee  
10 people, I publicly and respectfully ask that the individual  
11 currently occupying the role of the Tribal Council Speaker nobly  
12 resign her position effective immediately.

13 LAURA SAMPSON: Next on the list is Ms. Retha  
14 Freeman.

15 RETHA FREEMAN: Laura is about like the President,  
16 she gets blamed for everything. But, my -- I got a problem. I  
17 remember a few months ago that there was -- it was approved for  
18 three thousand (\$3,000) dollars for -- to hire a consultant, you  
19 know, to tell y'all what you're doing wrong.

20 If you got a conscience and believe in the Lord  
21 and doing right, you don't need nobody to tell you what you're  
22 doing wrong. But, it was -- I would like to know, Mr. Purnell  
23 Swett, if he was hired. And I would like to know the amount of  
24 money he was paid up under the guidance that Jimmy Goins had  
25 asked the Tribe to approve to hire him as a consultant.

1                   You know, because I feel like the in-house money  
2 -- Mr. Locklear had explained to me what in-house money was. So,  
3 I know that come out of in-house money. But, why should you pay  
4 somebody -- and if I'm wrong, forgive me -- twenty thousand  
5 (\$20,000) dollars to tell you what you're doing wrong?

6                   You know, that is something I would like to know.  
7 So, I would like to know if Purnell Swett was paid that amount of  
8 money and why. Thank you.

9                   LAURA SAMPSON:           Thank you, Ms. Freeman. I would  
10 like to refer that question to our Tribal Administrator.  
11 Ms. Tammy, I don't know if you want to answer that at this time.  
12 I don't know if we have the records here. Would you like to  
13 speak to that, please?

14                   TAMMY MAYNOR:           Anything relating to -- she can  
15 come by the Tribal Office and I'll be more glad to talk with her.

16                   (Wendy Moore-Graham joined the meeting in progress.)

17                   LAURA SAMPSON:           Okay, thank you. Sam Kearns is  
18 next on the list. Mr. Kearns?

19                   SAM KEARNS:           My name is Sam Kearns and I'd like  
20 to address three issues: Constitution, the Elections Law, as well  
21 as the Election Board.

22                   Mr. Eric Locklear had already addressed the  
23 preamble that I was going to mention, which indicates that there  
24 is a duty of the Tribal Council to secure justice and credence  
25 for the Lumbee people.

1                   In addition to that, Article 11 of the  
2 Constitution addresses the duty of loyalty of each person that is  
3 elected, and I would like to quote that. It says:

4                   (Reading document.)

5                   "Every elected and appointed Tribal Official entitled  
6 herein shall affirm upon taking the Oath of Office that  
7 he or she will abide by the Constitution of the Lumbee  
8 Tribe of North Carolina; and will to the best of his or  
9 her ability perform his or her duties with undivided  
10 loyalty to the Lumbee People."

11                   Now, I would like to mention that the -- the  
12 Constitution is not a proprietary document of any individual.  
13 Over eight thousand (8,000) people voted to empower, for the  
14 first time in the history of us as a people, a government.

15                   That is basically a living document that gives  
16 certain delegated authority to those of you who have been elected  
17 from the District to represent us. You have that delegated  
18 authority to, number one, enact laws, which you have done.

19                   And one of the laws that you enacted was the  
20 Election Law. The Election Law is very, very clear. It says  
21 that anyone who violates that Election Law, the following penalty  
22 exists: They cannot vote for four years. They cannot be around  
23 election's polls for four years.

24                   Now, I call upon the Tribal Council to do your  
25 duty and abide by your oath by firing the Election Board.

1 Because the Election Board in at least three different forums  
2 have admitted that they purposely decided not to abide by the  
3 law, which is the law that you have passed, which is the law that  
4 people gave you the authority to pass.

5 Now, if you do not act and enforce your own law, I  
6 submit that we do not have a government, and that we have a  
7 dictatorial form of government, and we should not exist. So, I  
8 call upon you to do your duty and to look -- and perform the oath  
9 -- to look out for people who empowered you to be sitting where  
10 you're sitting today. Thank you.

11 LAURA SAMPSON: Thank you so much, Mr. Kearns. And  
12 that does conclude our Community Comments. Thank you all for  
13 your time and your input. It is greatly appreciated.

14 I'm sorry, I'm sorry. Mr. Lewis, I apologize. There  
15 was somebody else who signed up who signaled to me they do not  
16 want to speak. I do apologize. There is one last, Mr. Lewis.

17 RANDY LEWIS: I have a petition here that has  
18 been signed by over a hundred and twenty (120) tribal-enrolled  
19 members. So, I'll just read the part of it -- and then I'll turn  
20 it over. It says:

21 (Reading document.)

22 "We the members of the Lumbee Tribe want the  
23 resignation of Laura Sampson as Speaker for the  
24 violation of Constitutional Rights in at least two  
25 separate Tribal Council meetings. Without a two-thirds

1 (2/3) vote, members were disbursed and no one was  
2 allowed to speak."

3 And there's a hundred and twenty (120) signatures.

4 LAURA SAMPSON: Thank you, Mr. Lewis. That  
5 concludes our Community Comments. We'll move right along with  
6 the agenda and to Committee Reports.

7 First on the agenda is Constitution and Ordinance,  
8 Mr. John Lowery.

9 RAY LITTLETURTLE: I make a motion that we go into  
10 closed session.

11 JOHN LOWERY: There's a motion on the floor.

12 LAURA SAMPSON: Mr. Ray?

13 RAY LITTLETURTLE: Some don't want to go in now, but I  
14 will retract it.

15 LAURA SAMPSON: All right, Mr. John.

16 **Constitution and Ordinance Committee Report**

17 JOHN LOWERY: All right. Constitution and  
18 Ordinance Committee, the first item is the Tribal Council Travel  
19 Ordinance. We passed this back on May the 22nd, 2008. And the  
20 Administration brought it back to us. Well, asked us if we would  
21 look at it and make a few changes, just a few changes here and  
22 there. And nothing really enormous.

23 As far as, -- we changed, I believe, it was  
24 Section IV, Part B, (Section IV, Part B) where it says the per  
25 diem there, as far as following the G.S.A., following what the

1 Federal Government says. But, if there's not any questions about  
2 this --

3 LAURA SAMPSON: You have a Tribal Council Travel  
4 Ordinance before you. Is there any discussion?

5 Hearing none, it needs no second. Madame  
6 Secretary, may we have a roll call vote, please?

7 FRANCES CHAVIS: Audrey Hunt.

8 AUDREY HUNT: Yes.

9 FRANCES CHAVIS: Sharon Hunt.

10 SHARON HUNT: Yes.

11 FRANCES CHAVIS: Louise Mitchell.

12 LOUISE MITCHELL: Yes.

13 FRANCES CHAVIS: Laura Sampson.

14 LAURA SAMPSON: Yes.

15 FRANCES CHAVIS: Pam Spaulding.

16 PAM SPAULDING: Yes.

17 FRANCES CHAVIS: Helen Locklear.

18 HELEN LOCKLEAR: Yes.

19 FRANCES CHAVIS: Kernice Lee Locklear.

20 KERNICE LOCKLEAR: Yes.

21 FRANCES CHAVIS: John Lowery.

22 JOHN LOWERY: Yes.

23 FRANCES CHAVIS: Frances Chavis. Yes. Larry  
24 Chavis.

25 LARRY CHAVIS: Yes.

1           FRANCES CHAVIS:       Ray Littleturtle.  
2           RAY LITTLETURTLE:     Yes.  
3           FRANCES CHAVIS:       James Harold Locklear.  
4           JAMES LOCKLEAR:       Yes, Ma'am.  
5           FRANCES CHAVIS:       Wendy Moore-Graham.  
6           WENDY MOORE-GRAHAM:   Yes.  
7           FRANCES CHAVIS:       Steve Sampson.  
8           STEVE SAMPSON:        Yes.  
9           FRANCES CHAVIS:       James Taft Smith.  
10          JAMES SMITH:         Yes.  
11          FRANCES CHAVIS:       Brad McMillian.  
12          BRAD McMILLIAN:       Yes.  
13          FRANCES CHAVIS:       Richard Locklear.  
14          RICHARD LOCKLEAR:     Yes, Ma'am.  
15          FRANCES CHAVIS:       Fernie Lambert.  
16          FERNIE LAMBERT:       Yes.  
17          FRANCES CHAVIS:       Shelley Strickland.  
18          SHELLEY STRICKLAND:   Yes.  
19          FRANCES CHAVIS:       Ricky Burnett.  
20          RICKY BURNETT:        Yes.  
21          FRANCES CHAVIS:       Welford Clark.  
22          WELFORD CLARK:        Yes.  
23          FRANCES CHAVIS:       Twenty-one (21) yes.   Zero (0) nos.  
24          Zero (0) abstentions.  
25               ("Motion 5" - resolution to accept the Tribal Council

1 Travel Ordinance with changes was approved.)

2 LAURA SAMPSON: Thank you, Madame Secretary.

3 JOHN LOWERY: All right. Next on our agenda is  
4 the Tribal member profile availability. This was brought to us.  
5 We discussed this in committee. It says -- the last two says:

6 (Reading document.)

7 "Therefore, be it resolved the Tribal Council of  
8 the Lumbee Tribe of North Carolina authorizes the  
9 Tribal Administration to make available Tribal member  
10 profiles consistent of the Tribal member's name,  
11 mailing and physical address, telephone number and  
12 district number for non-commercial use only.

13 "Therefore, be it further resolved, the Tribal Council  
14 of the Lumbee Tribe of North Carolina authorizes the  
15 Tribal Administration to apply a cost of twenty-five  
16 (\$25) dollars per district for this member profile."

17 LAURA SAMPSON: Thank you, John. Before you, you  
18 have the Tribal Council member -- the Tribal profile  
19 availability. Is there any discussion?

20 WELFORD CLARK: Madame Speaker?

21 LAURA SAMPSON: Mr. Clark?

22 WELFORD CLARK: I was just thinking maybe that the  
23 Tribal membership may want to know what the purpose of this is.  
24 And it's solely for the purpose of -- when candidates want to run  
25 for office of Tribal Council, they like to know the names of the

1 people who reside in the district.

2           So, it's just making available to the candidates  
3 in their Tribal district their district member's names. And of  
4 course, they can use those names to -- not simply in the  
5 political process. But, one of the things that we're sorely  
6 liking in our efforts is to keep members informed of activities.

7           And this will provide us another avenue that we  
8 may be able to reach you and to -- to where we can contact you  
9 for non-commercial. We're not going to sell your name to anybody  
10 to put you on a list.

11           LAURA SAMPSON:           Thank you, Mr. Clark. Ms.  
12 Spaulding?

13           PAM SPAULDING:           Ms. Louise was first.

14           LAURA SAMPSON:           I apologize.

15           LOUISE MITCHELL:        Madame Speaker, I do oppose this  
16 ordinance on the fact that twenty-five (\$25) dollars is a lot per  
17 person to me, especially if you're going to be running as the  
18 Tribal Chairperson, that you would be having to pay close to five  
19 hundred and fifty (\$550) dollars. You've already paid a filing  
20 fee for running as a candidate.

21           I don't have a problem with charging per sheet of  
22 paper, whatever the cost is today of per sheet. So, at this  
23 point in time, I do not support this resolution.

24           LAURA SAMPSON:           Thank you, Ms. Mitchell. Ms.  
25 Spaulding?

1           PAM SPAULDING:           I also would like to go on record  
2 as not supporting this for the simple reason that this past time  
3 when I asked for the members of my district who could vote, I was  
4 given a two-page sheet. Most of it was just names, no addresses,  
5 no contact information. And to pay some twenty-five (\$25)  
6 whether I'm running or anybody else is ludicrous.

7                           And I don't know if this is the appropriate time.  
8 I also would like to go on record as stating that I would like to  
9 charge the Elections Board to give us a date -- a confirmed date  
10 -- of when the amendments are going to go on ballot. We've been  
11 putting this thing off for -- whether I oppose or -- and for the  
12 amendments. It's been put off for too long. We've approved the  
13 budget for it and it needs to go forward.

14           LAURA SAMPSON:           Thank you. Mr. James Harold?

15           JAMES LOCKLEAR:           Yes, I -- I'm feeling kind of  
16 nervous about this, and I agree with Mr. Welford. God knows, I  
17 would not want it to become a commercial event. And I don't know  
18 how to control it, unless we just don't do it at all. But, I'm  
19 in agreement of doing it, and I'm agreeing to what Mr. Welford.  
20 But, I don't -- we can't control it. Now, I don't know.

21           LAURA SAMPSON:           Thank you, Mr. Locklear. Patrick?

22           PATRICK STRICKLAND:           In response to Mr. Welford's  
23 comments, if this resolution is for the sole purpose of Tribal  
24 Council candidates or Tribal Council member use only, the  
25 verbiage needs to be changed to state so.

1           LAURA SAMPSON:           Thank you.

2           ALEX BAKER:            I further have a question and  
3 concern about this ordinance. This ordinance says not restrict  
4 it to just Tribal members only. This ordinance can be read and  
5 is so wrote that anybody -- not a Tribal member -- anybody. And  
6 I get the public requests daily from people who are researching  
7 our data that want to see a map, your genes.

8                           And this right here on face value let's them have  
9 that. They're not doing it for commercial purposes. They're  
10 doing it for research purposes. So, there needs to be something  
11 in here on we restricting this to Tribal members. Also, I'm on  
12 that roll and there are certain things that are confidentiality.  
13 And unless someone's running for my district, they shouldn't have  
14 access to my information.

15           LAURA SAMPSON:           Thank you, Mr. Baker. Ms. Wendy?

16           WENDY MOORE-GRAHAM: Originally, in the Constitution  
17 Committee meeting, the motion was for Tribal members only. And  
18 there are Tribal members who are part of organizations who need  
19 the demographics to write grants that can help our people.

20                           We're not out to sell you out, we're just out to  
21 try to be an open-door government like we started out in the  
22 beginning. But, somewhere in the mix, we shut it.

23           LAURA SAMPSON:           Mr. Brooks.

24           ATTORNEY BROOKS:        I just want to make sure you're  
25 aware that this -- this goes back to Mr. James Harold's issue of

1 control. I know of three court cases going on right now. The  
2 Tribe's are not Federally Recognized put something like this in  
3 place. And the individuals who were against the Tribe got a hold  
4 of your Tribal membership, and they applied for Federal  
5 Recognition as your Tribe because they have your rolls.

6 And if somebody comes in and they apply -- when  
7 they sign up to run for Tribal Chairman, and they say well, I'm  
8 running for Tribal Chairman, I need the entire roll. And then,  
9 whether they win or lose, they still got the entire Tribal  
10 membership.

11 And by having that Tribal membership, what else do  
12 you have as a State Recognized Tribe other than your people? And  
13 to give somebody unfettered access to your Tribal rolls, or your  
14 Tribal enrollment, then you're opening the door to give them  
15 unfettered access to whatever you would be able to apply for as a  
16 Tribe.

17 LAURA SAMPSON: Thank you, Mr. Brooks.

18 ATTORNEY BROOKS: I just think you need to be  
19 careful.

20 LAURA SAMPSON: Mr. Ray?

21 RAY LITTLETURTLE: I'll make a motion that we table  
22 this back to the committee for further study. And to get all the  
23 troubled spots out of it, rather than vote on it tonight.

24 FERNIE LAMBERT: I second.

25 LAURA SAMPSON: There's a motion and a second on

1 the floor. John would like to speak.

2 JOHN LOWERY: Before we go on with that motion,  
3 and hearing the concerns, the reason why come we brought this  
4 before the Council is because there is no barrier or there --  
5 there's no guard up right now. So, if we do a motion, and your  
6 second is you want to try to put up a barrier or guard until this  
7 Council does make some type of a -- of an ordinance protecting  
8 the rolls?

9 WELFORD CLARK: Madame Speaker?

10 LAURA SAMPSON: Mr. Clark.

11 AUDREY HUNT: I was just gonna say that I think  
12 this kind of opens the door for them to come in and get it. So,  
13 that's just my opinion. I second -- I agree with tabling it.

14 LAURA SAMPSON: Mr. Clark?

15 WELFORD CLARK: I was just wondering if the  
16 attorney could perhaps tell us some way maybe that we can --  
17 rather that keep throwing everything on the table and never  
18 finishing nothing. Is there any way that you can see where we  
19 could add some language to that second last therefore that we can  
20 restrict that to -- if we restrict to like say to candidates for  
21 office, or to Tribal members? Do you think that that would guard  
22 us and help us any?

23 ATTORNEY BROOKS: I'd like to take some time to look  
24 at it because I just got this yesterday. And actually, I just  
25 saw this resolution tonight. And I'd really like to take some

1 time to look at this in light of what's going on with those other  
2 cases to see some of the things that the Court may have  
3 suggested.

4 WELFORD CLARK: And Madame Speaker, the reason I  
5 asked that is because I want to go back to what Wendy said. We  
6 just can't -- we have to make it available under some conditions  
7 because of folks who do want to help us with grants and stuff.  
8 So, we don't want to completely close the door, you know, to  
9 where we could never get it done.

10 LAURA SAMPSON: Thank you, Mr. Clark. Any other  
11 discussion? Mr. Taft.

12 JAMES SMITH: We got the Election Board Chairman  
13 here. Is there any -- can you go down to the Robeson County  
14 Election Board and get a list of --

15 SHELLEY STRICKLAND: Yes.

16 JAMES SMITH: Mr. Shelley run for a public office  
17 and he says you can go down there and get it. So, what's the  
18 difference? I mean, you're cutting people off any way you go.

19 LAURA SAMPSON: John?

20 JOHN LOWERY: No.

21 LAURA SAMPSON: Mr. Brooks?

22 ATTORNEY BROOKS: The difference is the State of  
23 North Carolina has already established sovereignty. Nobody could  
24 come in and claim to be the State of North Carolina with that  
25 roll. Well, if somebody comes and gets the roll, who am I to say

1 well, they're not Lumbee.

2 Like Mr. Welford was saying, I do understand  
3 there's a purpose for this and there's a way to do it. I'm not  
4 saying don't do it at all. But, this is dangerous the way it's  
5 written.

6 LAURA SAMPSON: Ms. Wendy?

7 WENDY MOORE-GRAHAM: Mr. Brooks, well what's the  
8 difference when LRDA did the same thing back either in the 80's  
9 or the 90's? They disseminated -- they sold off the information.  
10 So, I'm wanting to know what the barriers were that were not  
11 there for LRDA. And what repercussions have we suffered as a  
12 result of what they did.

13 ATTORNEY BROOKS: It's not my contention that we have  
14 suffered any at this point. But, I don't want to open the doors  
15 because of our neighboring State Recognized Tribes that are going  
16 through a similar situation. Because they don't have something  
17 in their -- on their books, they're now facing a group that's  
18 trying to take over their enrollment.

19 LAURA SAMPSON: John?

20 JOHN LOWERY: And with all this information being  
21 said here tonight, that's why come I -- I said that we've been --  
22 there should at least be a guard up right now because all this  
23 information has been put out there into the public as far as the  
24 papers go and stuff. So, and because there are Court cases where  
25 it has happened.

1                   And all I'm asking is with your motion, would you  
2 like to just go ahead and just put a block on it until we can get  
3 something done?

4                   SHARON HUNT:            You have a motion on the -- there's  
5 a motion on the floor.

6                   LAURA SAMPSON:           Any other debate? Ms. Spaulding?

7                   PAM SPAULDING:           No, I'm ready for the motion to be

8 --

9                   LAURA SAMPSON:           There's a motion and a second on  
10 the floor. All in favor?

11                  STEVE SAMPSON:           Restate the motion. Send it back  
12 to committee?

13                  LAURA SAMPSON:           Okay, who made the motion?

14                  RAY LITTLETURTLE:        I made the motion.

15                  LAURA SAMPSON:           Would you like to restate your  
16 motion, please?

17                  RAY LITTLETURTLE:        I will. That we return this to the  
18 Constitution and Ordinance Committee for further study.

19                  LAURA SAMPSON:           There is a motion.

20                  WELFORD CLARK:           So, can I bring the amendment to  
21 that and it be referred to with the advice of the Tribal Attorney  
22 that for him to help us out with that?

23                  LAURA SAMPSON:           Mr. Ray, would you accept that  
24 friendly amendment?

25                  RAY LITTLETURTLE:        I will.

1           LAURA SAMPSON:           He will accept your friendly  
2 amendment. All in favor?

3           (Ayes were given.)

4           LAURA SAMPSON:           Any opposed?

5           (No nays were given.)

6           LAURA SAMPSON:           Hearing none, the motion carries.  
7 Mr. Lowery?

8           ("Motion 6" - resolution concerning the Tribal Member  
9 Profiles availability was tabled for further study.)

10           JOHN LOWERY:           Next on the agenda is the Supreme  
11 Court nomination of one Mr. Garth Locklear. The resume', did you  
12 get that redone?

13                           This is a nomination coming from the Chairman and  
14 I believe we are all familiar with this story. We've had the  
15 hearing and we all know Mr. Garth personally. Excuse me.

16           LAURA SAMPSON:           You have before you an Election  
17 Board nomination for the Supreme Court, Mr. Garth Locklear. Is  
18 there any discussion?

19           FERNIE LAMBERT:           Madame Speaker?

20           LAURA SAMPSON:           Yes, Mr. Fernie?

21           FERNIE LAMBERT:           He didn't have enough to go around.  
22 He's gone out to make some copies.

23           LAURA SAMPSON:           All right. Can we share until when  
24 they start the debate?

25           LOUISE MITCHELL:          Yes, Madame Speaker, I'd like to

1 know why we don't have a resolution form, this filed in a  
2 resolution?

3 JOHN LOWERY: The reason why come we do not have  
4 it in a resolution form is because according to Patrick, in the  
5 past when we did Supreme Court nominations, it usually just came  
6 to us in the package without a -- you know, because it was just a  
7 -- it was just a nomination.

8 And then that's the way that Patrick did it in the  
9 past. And that's why I said okay, if that's the way that it's  
10 been done. And I prepared it and that's the way that we went on  
11 with it, so. But, the nomination is here, so.

12 LAURA SAMPSON: Any other debate?

13 JAMES SMITH: I make a motion that we accept him  
14 as --

15 LAURA SAMPSON: There is one more, Mr. Taft. Ms.  
16 Hunt? Audrey.

17 AUDREY HUNT: I just -- I want it to be known  
18 this is District 1. I totally disagree with this because we  
19 already have someone on the Supreme Court from the Pembroke  
20 District. And I think other areas need to be represented, and  
21 that we have submitted a name from District 1 and 2.

22 PAM SPAULDING: And 3.

23 AUDREY HUNT: And 3. So, there are other names  
24 there. We do have other people that are eligible and qualified  
25 for this position. And, you know, you kind of -- if you don't

1 live in Pembroke, you kind of hear, say well, Pembroke gets  
2 everything, so I want -- I want something my way, too.

3 LAURA SAMPSON: Thank you, Ms. Audrey.

4 SHARON HUNT: I would like to reiterate that the  
5 Constitution says that in making nominations and appointments,  
6 the Tribal Council and Chairperson shall to the greatest extent  
7 possible select candidates who reside in different areas of the  
8 community. I personally submitted a name from District 2 in July  
9 to the Tribal Chairperson.

10 And no reflection on the nomination, I just feel  
11 like that if we -- that you might as well throw the Constitution  
12 out the door if you're not going to abide by it.

13 LAURA SAMPSON: Thank you, Ms. Hunt. Any other  
14 debate?

15 JAMES LOCKLEAR: May I --

16 LAURA SAMPSON: Mr. James Harold?

17 JAMES LOCKLEAR: Yes. May I remind the Council  
18 members that we have people on the Judicial Board and even in our  
19 lower Court from other districts. And we were given time for any  
20 Council's district to submit resumes of people that they thought  
21 would be willing to serve on the Council.

22 We've had one resume, which was not in -- resume  
23 which was not in the district. Now, what Ms. Louise is talking  
24 about the resume she submitted. But, Mr. Garth's name came  
25 before us because the Chairman submitted his name.

1                   He's waited, he's waited. We've looked over his  
2 resume. And time after time, you know. And he's here tonight  
3 because we need to do this and then we can concentrated on other  
4 areas. Because we've postponed this thing, you all, several  
5 times. And the person's name that came up a month ago or a few  
6 weeks ago, lived in -- somewhere in Maryland out of the service  
7 area.

8                   And, you know, we went over the resume. And we're  
9 willing to go over the others. But, I'm saying is that this has  
10 been carried out in the right way. The Constitution hadn't been  
11 abused. And no laws have been abused. So, we need to make our  
12 move tonight. Yes, Ms. Chairman.

13                   LAURA SAMPSON:           Thank you, Mr. James. Ms. Louise?

14                   LOUISE MITCHELL:           Yes, we did have a resume that was  
15 given to the Chairman, but it was not forwarded to the  
16 Constitution Committee. Now, I also agree with the Constitution  
17 and what it says. It says in conjunction. It says and, it don't  
18 say or. And I would like to have more than just one candidate  
19 placed before the Constitution to decide whether we were gonna  
20 select that person or not.

21                   LAURA SAMPSON:           Thank you, Ms. Mitchell. Ms.  
22 Wendy?

23                   WENDY MOORE-GRAHAM: This was originally typed within  
24 the fact that we only had one nomination at that time that was  
25 told to us. But, in lieu of the fact that we had other

1 nominations. I see that the memo's still dated July 17th. So,  
2 therefore that tells me since this October, the Chairman's gave  
3 no consideration to any other nomination other than the one he  
4 put forth.

5 LAURA SAMPSON: Thank you, Ms. Wendy. Ms. Hunt?

6 SHARON HUNT: I would just to beg to differ with  
7 Mr. James Harold. I did submit an application -- a nomination in  
8 July. The person does not live in Maryland, the person lives in  
9 Fairmont, very well qualified. And again, it says to the  
10 greatest extent possible that we should pick people from  
11 different geographical areas, Mr. James Harold.

12 Now, you can sugar it up the way you want to. We  
13 already have a representative from Pembroke on the Supreme Court.

14 JAMES LOCKLEAR: In another district.

15 SHARON HUNT: No, no, Babe. On the Supreme  
16 Court.

17 JAMES LOCKLEAR: Yeah, in another district. Not the  
18 Pembroke district, but in another district.

19 SHARON HUNT: The geographical area, yeah, that  
20 he is from includes Pembroke. Look at your map.

21 JAMES LOCKLEAR: South Pembroke.

22 SHARON HUNT: Pembroke is Pembroke.

23 JAMES LOCKLEAR: North Pembroke.

24 SHARON HUNT: Pembroke is Pembroke. It's the  
25 same geographical area, Mr. James Harold. If you've looked at

1 the map, you'll see where the geographical areas are. There is  
2 no representation from 1, 2 and 3 and one other area. We did  
3 submit a nomination to the Chairman. Or I personally handed it  
4 to Ms. Tammy. She did submit it to the Chairman in July, first  
5 of August.

6 JAMES LOCKLEAR: Okay.

7 LAURA SAMPSON: Thank you, Ms. Hunt.

8 JAMES LOCKLEAR: Getting back, you know, let me put  
9 a little bit of salty water in that sweetened stuff. But, I was  
10 not talking about your nominee.

11 SHARON HUNT: I know, couldn't have been.

12 JAMES LOCKLEAR: You know, but don't -- let me sweeten it  
13 up, because the person I was referring to was out of the service  
14 area completely.

15 SHARON HUNT: The person I'm referring to lives  
16 in Fairmont.

17 JAMES LOCKLEAR: Okay, all right.

18 LAURA SAMPSON: Thank you, Ms. Hunt.

19 JAMES LOCKLEAR: Thank you.

20 LAURA SAMPSON: Mr. Strickland?

21 SHELLEY STRICKLAND: With much respect to Mr. Garth  
22 and his career, and with more respect to the Constitution, I did  
23 submit a name about a year, year-and-a-half ago, and I've heard  
24 nothing from it.

25 LAURA SAMPSON: Thank you, Mr. Shelley. Any other

1 debate?

2 WELFORD CLARK: Madame Speaker.

3 LAURA SAMPSON: Mr. Clark?

4 WELFORD CLARK: This --

5 RICHARD LOCKLEAR: Hello?

6 WELFORD CLARK: I have many friends in Pembroke.

7 But, you can live across the street from one another here and be  
8 in two different districts and still be neighbors. You know, so  
9 the fact that you're in two different districts. But, the  
10 Constitution doesn't say district. The Constitution says Tribal  
11 Territory.

12 And that encompasses wherever we're at. So, we  
13 have qualified people. Some names have been submitted. And it  
14 would just be unfair and unreasonable just to continue to submit  
15 and receive names and to clog this thing up with folks right here  
16 in this Pembroke area. We need to find someone from some place  
17 outside the area.

18 LAURA SAMPSON: Thank you, Mr. Clark.

19 WELFORD CLARK: You're welcome.

20 LAURA SAMPSON: Is there any other -- Mr. Richard  
21 Locklear would like to speak. Mr. Richard? And he is on the  
22 phone.

23 RICHARD LOCKLEAR: Can you hear me?

24 RICHARD LOCKLEAR: I've been looking at the preamble  
25 on the Constitutional ordinances. And the lady that I turned in,

1 Ms. Julia Pierce, we did not have a final vote on that in the  
2 Committee the other night. I turned in the paperwork and  
3 everybody said they'd get back with me once they got the  
4 jurisdictional opinion on it. So, I would like to have a  
5 jurisdictional opinion before this stuff goes down because her  
6 qualifications are enormous.

7           And it would be enormous to the history of the  
8 Lumbee Indians to have Mr. Julian Pierce's daughter sitting on  
9 that Constitution. But, we never got an opinion on that. I also  
10 enlisted the resume of one Mr. Kevin Epps, and that was never  
11 turned in. In fact, we was told by our Chairperson, the  
12 Chairman, Mr. Goins, that he would benefit us in giving us an  
13 appointee, if we were to bring in one, from Cumberland, from Hoke  
14 or Scotland counties.

15           And we never hear anything back once we give him  
16 those resumes. And which I think is terribly unfair. Because  
17 I'm reading the Article 1 in Section 2. "The Tribe's  
18 jurisdiction shall extend to the fullest extent possible under  
19 federal law to all the normal members of the Tribe without regard  
20 to location or residence of persons, properties and activities  
21 located or taking place in the Tribe's Territory."

22           Now, if we can select people to run for  
23 Chairmanship and jurisdictional positions, why would it be the  
24 fact that one stayed in Washington, D.C. that we can't use that  
25 person on the Administrative Court. And like I said in Committee

1 the other night, no conclusion come down for why was not this  
2 girl brought before the full Committee tonight for discussion.

3 Did the Chairman not want her? I want that  
4 question answered before we vote.

5 LAURA SAMPSON: Thank you, Mr. Locklear. Is there  
6 any other debate?

7 RICHARD LOCKLEAR: Can I get an answer on that  
8 question?

9 LAURA SAMPSON: Would anybody like to answer his  
10 question? Hearing none, is there any other debate?

11 FRANCES CHAVIS: I'd like to make a nomination that we --  
12 I'd like to make a motion that we accept Joel Garth Locklear to  
13 the Supreme Court.

14 JAMES SMITH: Second.

15 LAURA SAMPSON: There's a motion and a second on  
16 the floor. It's coming from Committee, it needs no second. I  
17 apologize for that. Madame Secretary, may we have a roll call  
18 vote.

19 FRANCES CHAVIS: Audrey Hunt.

20 AUDREY HUNT: No.

21 FRANCES CHAVIS: Sharon Hunt.

22 SHARON HUNT: No.

23 FRANCES CHAVIS: Louise Mitchell.

24 LOUISE MITCHELL: No.

25 FRANCES CHAVIS: Laura Sampson.

1 LAURA SAMPSON: Yes.

2 FRANCES CHAVIS: Pam Spaulding.

3 PAM SPAULDING: No.

4 FRANCES CHAVIS: Helen Locklear.

5 HELEN LOCKLEAR: Yes.

6 FRANCES CHAVIS: Kernice Locklear.

7 KERNICE LOCKLEAR: Yes.

8 FRANCES CHAVIS: John Lowery.

9 JOHN LOWERY: Yes.

10 FRANCES CHAVIS: Frances Chavis, yes. Larry Chavis.

11 LARRY CHAVIS: Yes.

12 FRANCES CHAVIS: Ray Littleturtle.

13 RAY LITTLETURTLE: No.

14 FRANCES CHAVIS: James Harold Locklear.

15 JAMES LOCKLEAR: Yes.

16 FRANCES CHAVIS: Wendy Moore-Graham.

17 WENDY MOORE-GRAHAM: No.

18 FRANCES CHAVIS: Steve Sampson.

19 STEVE SAMPSON: Yes.

20 FRANCES CHAVIS: James Taft Smith.

21 JAMES SMITH: Yes.

22 FRANCES CHAVIS: Brad McMillian.

23 BRAD MCMILLIAN: Yes.

24 FRANCES CHAVIS: Richard Locklear.

25 RICHARD LOCKLEAR: No.

1           FRANCES CHAVIS:       Ferne Lambert, Jr.

2           FERNIE LAMBERT:        Yes.

3           FRANCES CHAVIS:        Shelley Strickland.

4           SHELLEY STRICKLAND: No.

5           FRANCES CHAVIS:        Ricky Burnett.

6           RICKY BURNETT:           No.

7           FRANCES CHAVIS:        Welford Clark.

8           WELFORD CLARK:          No.

9           FRANCES CHAVIS:        Eleven (11) yes, ten (10) no.

10          LOUISE MITCHELL:        Madame Chair, this position

11 requires a two-thirds vote by ordinance of Committees,

12 Appointments and Tribal Government Affiliated position.

13          JOHN LOWERY:           Which one was that?

14          LOUISE MITCHELL:        The ordinance 2005-007.

15          JOHN LOWERY:           Where's that? Section what?

16          LOUISE MITCHELL:        Section two appointments, section

17 three. Section 3, Number 3.

18          JOHN LOWERY:           Not constitutionally mandated.

19 This position is constitutionally mandated. Tribal Government

20 affiliated positions not constitutionally mandated. This

21 position is constitutionally mandated by the Constitution of the

22 Lumbee Tribe of North Carolina.

23          SHARON HUNT:           Well, I'd like to go on record

24 saying that the Constitution also mandates that we go to the

25 greatest extent possible to cover all areas, so.

1 LAURA SAMPSON: Motion carries.

2 ("Motion 7" to appoint Joel Garth Locklear as a member  
3 of the Supreme Court of the Lumbee Tribe of North Carolina was  
4 approved.)

5 LAURA SAMPSON: John?

6 JOHN LOWERY: Election Board nomination is next.  
7 It also does not have a resolution in the package. This is for  
8 Ms. Carol Goins. This is from District 13. She's from  
9 Fayetteville. She has over 20 years experience dealing with  
10 elections. And her name was brought to us by her District  
11 Representative, Mr. Ricky Burnett. And --

12 LAURA SAMPSON: You have a resolution before you as  
13 it pertains to Carol Goins. I apologize, it is just a name. You  
14 do not have a resolution. It is a name that Preacher Ricky  
15 brought before the Committee, for those of you who were in  
16 attendance.

17 Is there any debate?

18 WENDY MOORE-GRAHAM: Not a debate, but a suggestion.

19 LAURA SAMPSON: Ms. Graham?

20 WENDY MOORE-GRAHAM: I would suggest that the  
21 Constitution and Ordinance Committee should understand that the  
22 dynamic of Supreme Court nominations and the dynamic of any  
23 governmental position should require a resolution. Because it  
24 gives an archival component so that we can go back and say this  
25 is how this happened, not just a name up here.

1                   And if you read the editorial, we need to start  
2 taking our government more seriously.

3                   LAURA SAMPSON:           Thank you, Ms. Graham. Mr. John?

4                   JOHN LOWERY:                Mr. Patrick, could you tell me what  
5 you told -- can you tell the Council what you told me about the  
6 names coming before and how you've done it? And I do agree with  
7 Ms. Graham, you are correct. There should be a resolution.

8                   But, will you just --

9                   PATRICK STRICKLAND:        Oh, I wholeheartedly agree.  
10 It's just in the past since I have been here, names have just  
11 been submitted with a resume. And I have sent forth on that. If  
12 the Committee agrees to do a resolution, I have no problem with  
13 that agreement.

14                  JOHN LOWERY:                So, I mean, it's not trying to  
15 cover anything up or do anything horrendous to cause this  
16 government to be shut tomorrow, okay. It's just that's the way  
17 that it's been done in the past before I was Chairman of the  
18 Committee. And I was just following what has been done. But, we  
19 will do that.

20                  And the next Chairman's going to be here in two months.  
21 And they -- hopefully they will do it, too.

22                  PATRICK STRICKLAND: Do you want these two names done in  
23 a resolution:

24                  JOHN LOWERY:                Yes, please. Please do that also.

25                  LAURA SAMPSON:            Ms. Spaulding?

1 PAM SPAULDING: I was just going to offer a motion  
2 that we do put these two names on the resolution. Just because  
3 it's always been done in the past doesn't make it right, that we  
4 go forward and not do things right. So, I'd like to make a  
5 motion --

6 LAURA SAMPSON: Do you make that in the form of a  
7 motion?

8 PAM SPAULDING: -- that we do resolutions on both  
9 these names.

10 LAURA SAMPSON: There is a motion and a second on  
11 the floor. All in favor?

12 (Ayes were given.)

13 LAURA SAMPSON: Any opposed?

14 (No nays were given.)

15 LAURA SAMPSON: Hearing none, the motion carries.

16 ("Motion 8" to submit names of nominees Joel Garth  
17 Locklear and Carol Goins in the form of a resolution was  
18 approved.)

19 JAMES SMITH: I make a motion to accept Ms. Goins  
20 to the Election Board.

21 LAURA SAMPSON: There is a motion to accept Ms.  
22 Goins to the Election Board.

23 FRANCES CHAVIS: Second.

24 LAURA SAMPSON: Is there any discussion?

25 JAMES SMITH: We don't need no second.

1 LAURA SAMPSON: Is there any debate? Hearing none.  
2 JAMES SMITH: Roll call.  
3 LAURA SAMPSON: Madame Secretary, roll call vote.  
4 FRANCES CHAVIS: Audrey Hunt.  
5 AUDREY HUNT: Yes.  
6 FRANCES CHAVIS: Sharon Hunt.  
7 SHARON HUNT: Yes.  
8 FRANCES CHAVIS: Louise Mitchell.  
9 LOUISE MITCHELL: Yes.  
10 FRANCES CHAVIS: Laura Sampson.  
11 LAURA SAMPSON: Yes.  
12 FRANCES CHAVIS: Pam Spaulding.  
13 PAM SPAULDING: Yes.  
14 FRANCES CHAVIS: Helen Locklear.  
15 HELEN LOCKLEAR: Yes.  
16 FRANCES CHAVIS: Kernice Locklear.  
17 KERNICE LOCKLEAR: Yes.  
18 FRANCES CHAVIS: John Lowery.  
19 JOHN LOWERY: Yes.  
20 FRANCES CHAVIS: Frances Chavis, yes. Larry Chavis.  
21 LARRY CHAVIS: Yes.  
22 FRANCES CHAVIS: Ray Littleturtle.  
23 RAY LITTLETURTLE: Yes.  
24 FRANCES CHAVIS: James Harold Locklear.  
25 JAMES LOCKLEAR: Yes.

1           FRANCES CHAVIS:       Wendy Moore-Graham.  
2           WENDY MOORE-GRAHAM: Yes.  
3           FRANCES CHAVIS:       Steve Sampson.  
4           SHELLEY STRICKLAND: Yes.  
5           FRANCES CHAVIS:       James Taft Smith.  
6           JAMES SMITH:           Yes.  
7           FRANCES CHAVIS:       Brad McMillian.  
8           BRAD McMILLIAN:       Yes.  
9           FRANCES CHAVIS:       Richard Locklear.   (No response.)  
10          Fernie Lambert, Jr.  
11          FERNIE LAMBERT:       Yes.  
12          FRANCES CHAVIS:       Shelley Strickland.  
13          SHELLEY STRICKLAND: Yes.  
14          FRANCES CHAVIS:       Ricky Burnett.  
15          RICKY BURNETT:       Yes.  
16          FRANCES CHAVIS:       Welford Clark.  
17          WELFORD CLARK:       Yes.  
18          FRANCES CHAVIS:       Twenty (20) yes, zero (0) nos, zero  
19          (0) abstentions.  
20          STEVE SAMPSON:       Did you get Richard? Richard's  
21          gone? Okay.  
22          ("Motion 9" to accept the nomination of Carol Goins to  
23          the Election Board was approved.)  
24          JOHN LOWERY:       All right, next on the agenda is  
25          the Tribal Council Candidate Conflict of Interest. I will read

1 the last three whereas:

2 (Reading document.)

3 "Whereas the former Chairman of the Lumbee Tribe  
4 Election Board filed for candidacy for the Lumbee  
5 Tribal Council General Election;

6 "Whereas the former Chairman failed to comply with  
7 a proper resignation from the Lumbee Tribe Board of  
8 Elections and notification to the Tribal Council of the  
9 Lumbee Tribe of North Carolina;

10 "Therefore, be it resolved the Tribal Council of  
11 the Lumbee Tribe of North Carolina request the Tribal  
12 Elections Board to remove the former Tribal Elections  
13 Board Chairman from the ballot as a candidate in  
14 District 7, the Lumbee Tribal Council Board of  
15 Elections."

16 LAURA SAMPSON: You have a resolution before you.  
17 Is there any discussion?

18 WELFORD CLARK: Madame Speaker.

19 LAURA SAMPSON: Mr. Clark?

20 WELFORD CLARK: I would like to speak in support of  
21 the resolution. But I would also like to make -- point this out,  
22 that I think the resolution is incomplete in that it simply  
23 restricts the request for removal (sic) based simply upon the  
24 resignation issue. And there was more of a discussion and there  
25 was another part of it other than just the fact that he did not

1 resign properly, in the opinion of some.

2           And so, I want to speak in opposition to it, but  
3 will not address the resignation part of it, is what I'm trying  
4 to say.

5           LAURA SAMPSON:           All right.

6           WELFORD CLARK:           And I would like to, if I can, I  
7 need to borrow your podium because I need to play a tape. While  
8 this -- the issue -- and I have to talk fast.

9           While the issue of what I consider to be an  
10 invalid resignation took place, and I would even propose to this  
11 Tribal Council tonight that even as we sit, that there is an  
12 attempt that's being made now, a conspiracy at work now, to  
13 deceive the Tribal Council regarding that resignation and the  
14 format that it was done. And as soon as a Webmaster will address  
15 it and get the document file out of that computer with the date  
16 and time that that letter was written, we will see that the  
17 letter that you received with the date of Mr. Oceanus's  
18 resignation is not valid.

19           But, my concern with Mr. Oceanus is this: My  
20 concern is Oceanus's complete disregard for Tribal office. He  
21 has demonstrated in the time that he was on the Election Board  
22 that he has nothing and no respect at all for Tribal office.

23           I'm going to read to you some portions of a  
24 transcript. It was -- took place on an election matter a while  
25 back. And I'm going to read you the words and then --

1 JAMES LOCKLEAR: Can we go into executive session?

2 WELFORD CLARK: Well, I -- irrespective of who  
3 requested it, there is a candidate who has filed publicly for  
4 Tribal Council office, it is a public filing. It is public  
5 records. It is his name and he is soliciting people to vote for  
6 him. So, we cannot just say that we cannot call his name. I'm  
7 not violating his privacy. He made himself to be public when he  
8 filed.

9 JAMES LOCKLEAR: Mr. Welford, you're making  
10 accusations, but there's no one here to defend. He's not here to  
11 defend himself.

12 LAURA SAMPSON: Mr. Clark, you may proceed.

13 JAMES LOCKLEAR: Go ahead.

14 WELFORD CLARK: Thank you, Ma'am. Will you please  
15 inform the Council that they will have their opportunity to  
16 speak? I'm going to read you part of this transcript that was  
17 done in a hearing that took place on an election matter:

18 (Reading from document.)

19 "Oceanus Lowery: I think that we'll get to  
20 that. You're just laying out your position here.

21 "Sam Kearns: I understand.

22 "Oceanus Lowery: Before this election started,  
23 that was not going to be one our requirements, that we  
24 would not require a signature on the envelope because  
25 99.9 percent of the people don't have a copy of the

1 ordinance to know that they were supposed to sign the  
2 return envelope.

3 "So, the purpose of this Board in having an  
4 election is to get as many people as we can to vote.  
5 We felt like, as I said, 99.9 percent of the people did  
6 not know what they were supposed to sign an envelope or  
7 it will be required of your vote.

8 "This is my first time dealing with this that  
9 we've gone through the process requiring what we did.  
10 That is one phase of the requirement that we agreed to  
11 leave off to get as many people to vote as possibly  
12 could and not require that signature."

13 What Mr. Oceanus is saying is there is a Tribal  
14 Law that says on the return ballots, absentee ballots, the person  
15 who is submitting the absentee ballots must sign the outside  
16 portion of the envelope. Mr. Oceanus Lowery has decided he  
17 didn't like that. So, he decided he would conduct the election  
18 in another way.

19 So, for two Tribal Elections, the 2006 election  
20 and the 2007 election, and this coming election -- the  
21 statements, and I can give you testimony to that -- they have  
22 agreed that they're not going to follow the ordinance. And he  
23 says that the Board "felt like." So, the purpose of this Board  
24 in having an election is to get as many people as we can to vote.

25 I want to say to the Tribal Council, to you, that

1 the ordinance you voted on, it is Tribal Law. It is Tribal Law  
2 in Section 3 when it speaks of the oath and duties of the  
3 Election Board, it lists 22 requirements of the Election Board.  
4 Determining to have -- trying to get as many people to vote as  
5 they can is not one of -- the job of the Election Board.

6 It is their job to follow the ordinance as it is  
7 written to insure -- to insure that the election is held  
8 perfectly. Now, I read that. If -- would anyone like to hear  
9 his voice specifically saying that? I will play for you the tape  
10 and you can hear it himself.

11 Okay, if you want to hear it, I'll be glad to play  
12 you the tape. He did that. And if you would like, I have two  
13 other tapes of another forum where he reiterated and made plain  
14 the same thing, that we had decided that we're not going to  
15 follow the law.

16 Mr. Kearns made an excellent point. In 2000, when  
17 you Tribal members, almost eight thousand (8,000) voted for this  
18 constitution. And they voted, they says this is -- we want to  
19 empower people to write law. And we want the laws to be  
20 followed. And I'm challenging you, the Tribal Council, you wrote  
21 this law.

22 Are we to be free to only live by the parts we  
23 want to? Or can we choose what part we're going to obey and what  
24 part we're not going to obey? I asked for a motion to remove the  
25 Election Board because I have -- also I can read you the

1 statements of the current Election Board Chairman, right, who  
2 made this statement:

3 (Reading from document.)

4 "Ertle Oxendine: That part of the ordinance  
5 hasn't been followed since we've been holding a vote, a  
6 Tribal Board vote. That ordinance has never been  
7 followed."

8 They admitted they never followed this ordinance.  
9 They make it sound like many other people have not been following  
10 it. But remember, this ordinance was written in 2005. There  
11 have been two election ordinances -- two elections we've held,  
12 and this Tribal Election Board has presided over both of those  
13 elections.

14 And both times, they have chosen to violate the  
15 law. The law that some of the people sitting at this table  
16 helped to write. Now, either they're going to follow the law, or  
17 we're just going to throw the law out of the book and have a  
18 free-for-all, our constitution means nothing. Our government  
19 means nothing if everybody's not going to simply follow the law.

20 Mr. Oceanus Lowery, the penalty under that same  
21 Tribal ordinance, it says this, that any who willfully violates  
22 this law, they can't vote for four years, they can't even be at a  
23 polling site for four years. If you can't vote for four years,  
24 if you're ineligible to vote under the constitution, then it goes  
25 without saying that you're ineligible to be a candidate as well.

1           So, I urge you to live by the constitution. Or if  
2 we're not going to live by it, let's make up our mind tonight and  
3 let's throw this thing out the window, just have a free-for-all,  
4 and let the strong man win and the weak man lose.

5           (Applause from the audience.)

6           LAURA SAMPSON:           Are there any other discussions?

7           JAMES LOCKLEAR:           Yeah, James Locklear.

8           LAURA SAMPSON:           Mr. James.

9           JAMES LOCKLEAR:           Just in a few brief words to you  
10 out there. Words are smooth, words are beautiful. The  
11 vocabulary that you use in describing things and describing  
12 events, you know, we can make the world of change by every Huddle  
13 House and every Burger King and every Hardee's and every place  
14 around. We can change the world.

15           But, I want to share with you something. Some of  
16 the things that have been said about Mr. Oceanus Lowery, he was  
17 cleared of, no charges. He violated nothing. So, the thing is,  
18 he went -- he went into that Tribal Election Board office and as  
19 Chairman. He tried to make it one of the workablest (sic)  
20 organizations, workable.

21           And it has improved a lot. It has come a long  
22 way. And it's going to continue to grow with the people that we  
23 have in there right now, with the people that are joining them.  
24 So, you have to make a decision. You have to make a choice, you  
25 know. What do you want?

1           You know, do you want a man that is doing his best  
2 to try to follow the constitution? But, yeah, he failed in a lot  
3 of ways because that organization is independent. The Election  
4 Board is independent. We, the lawmakers, we set the law. But,  
5 it's up to the Election Board to do whatever it takes to make  
6 that a workable organization.

7           And we all know because we're Tribal members,  
8 we're enrolled members, and we want to see the things to go the  
9 best that we possibly can. You're hard-working people. You  
10 people work and you -- you make a living for yourselves. You're  
11 doing the right thing.

12           And there's another man, too, doing the right  
13 thing. But, he's getting cut, you know. They don't want to see  
14 him on the Tribal Council. They don't want to see him on the  
15 Tribal Council. But, now, he'll make a good Council member, I  
16 know that. He'll make one. And I beg you to support him.

17           I beg you to go with him. Now, there's other  
18 candidates in here, too, running for that same seat.

19           *SEVERAL MEMBERS:*       His comments are out of order.  
20 He's out of order.

21           JAMES LOCKLEAR:       And I give all of you the best.  
22 But, don't -- don't take Mr. Lowery short, you know, because he's  
23 not guilty of a lot of charges.

24           LAURA SAMPSON:       Thank you, Mr. James. Ms. Graham?

25           WENDY MOORE-GRAHAM: I'll say it short and I'll say it

1 sweet. O.J. Simpson got dismissed of his charges, but that did  
2 not negate whether the fact he was guilty or not. But, at least  
3 O.J. had sense enough not to run for public office.

4 (Applause from the audience.)

5 LAURA SAMPSON: Ms. Mitchell.

6 LOUISE MITCHELL: Madame Speaker, we are the --

7 LAURA SAMPSON: Excuse me, Ms. Mitchell. I would  
8 ask that you would hold your applause so that we may keep some  
9 order. If you want to applause, you can do that when we're ready  
10 to dismiss. But, we do need some order and I would please ask  
11 that you abide by that request. Ms. Mitchell?

12 LOUISE MITCHELL: We are the Legislative body and we  
13 do write law. We write law for the Election Board. We write law  
14 for the Administrative Court. We also can write law for the  
15 Supreme Court. So, in essence of what Mr. Welford was talking  
16 about as far as the Election Board, they did violate the  
17 ordinance and Mr. Oceanus did also.

18 LAURA SAMPSON: Thank you. Is there any other  
19 debate? Mr. Clark.

20 WELFORD CLARK: Just a short rebuttal. First of  
21 all, I should have played the tape not because supposition's been  
22 made out of my word. I should have had you listen to Mr.  
23 Oceanus's words. And if I had to do it again, I'd play it and  
24 let you hear what he said, not what I said.

25 But, his words live, and I have his words if you

1 want to hear it. That's number one. Number two, contrary to  
2 what Mr. Locklear said, the Election Board was not cleared of any  
3 charges. The Court made two rulings. The Court made the simple  
4 ruling and in that ruling they said that there were  
5 irregularities by the Election Board. That's part of the written  
6 record.

7           The other part of the written record states that  
8 simply the issue of the absentee ballots was not enough to  
9 overturn the election, which is what the plaintiff, Mr. Oxendine,  
10 and the other plaintiff, Ms. Locklear were seeking. They were  
11 seeking a new election. So, the Tribal Court said simply that  
12 there was not enough of an issue with the absentee ballots to  
13 overturn it.

14           But, they didn't by no means, Mr. Locklear, clear  
15 the Election Board. They were guilty. Number three and finally,  
16 the Election Board is not an independent body. If you would read  
17 that same Tribal ordinance, it simply says this, and let me read  
18 it to you again, just in case some of you hadn't read it. I  
19 would suggest you did.

20           (Reading document.)

21           "The Election Board's authority to promulgate  
22 rules and regulations shall include but not be limited  
23 to..."

24           Promulgate means this, Mr. Locklear. Promulgate  
25 means to put into policy and put into action the rules that have

1 been written. The Tribal Council wrote the rules. The Election  
2 Board, by the oath of office, said we will do that. So, we're  
3 not going to give them a pass.

4 And the third and final thing. You made it sound  
5 as like -- you said that they done the best they could. In Mr.  
6 Oceanus's statement that I'll read to you in his word, it says  
7 they did not contest the validity of the ordinance. They knew  
8 what it said. It wasn't confusing. It wasn't ambiguous. They  
9 just simply chose to do it a different way. So, we need to speak  
10 with facts and not with our feelings. Mr. Oceanus does not  
11 deserve a seat at this table.

12 FRANCES CHAVIS: I make a motion that we end the debate.

13 JAMES LOCKLEAR: Second.

14 STEVE SAMPSON: Call for the question.

15 LAURA SAMPSON: There is a motion on the floor and  
16 a second to end the debate. All in favor.

17 (Ayes were given.)

18 LAURA SAMPSON: All opposed?

19 (Nays were given.)

20 LAURA SAMPSON: The ayes have it.

21 WELFORD CLARK: It take a two-thirds vote.

22 LAURA SAMPSON: Madame Secretary, may we have a  
23 roll call vote?

24 FRANCES CHAVIS: Audrey Hunt.

25 AUDREY HUNT: No.

1           FRANCES CHAVIS:       Sharon Hunt.  
2           SHARON HUNT:           No.  
3           FRANCES CHAVIS:       Louise Mitchell.  
4           LOUISE MITCHELL:       No.  
5           FRANCES CHAVIS:       Laura Sampson.  
6           LAURA SAMPSON:        Yes.  
7           FRANCES CHAVIS:       Pam Spaulding.  
8           PAM SPAULDING:         No.  
9           FRANCES CHAVIS:       Helen Locklear.  
10          HELEN LOCKLEAR:       Yes.  
11          FRANCES CHAVIS:       Kernice Lee Locklear.  
12          KERNICE LOCKLEAR:     Yes.  
13          FRANCES CHAVIS:       John Lowery.  
14          JOHN LOWERY:           Yes.  
15          FRANCES CHAVIS:       Frances Chavis.   Yes.  
16                                Larry Chavis.  
17          LARRY CHAVIS:        Yes.  
18          FRANCES CHAVIS:       Ray Littleturtle.  
19          RAY LITTLETURTLE:     Yes.  
20          FRANCES CHAVIS:       James Harold Locklear.  
21          JAMES LOCKLEAR:       Yes.  
22          FRANCES CHAVIS:       Wendy Moore-Graham.  
23          WENDY MOORE-GRAHAM:   No.  
24          FRANCES CHAVIS:       Steve Sampson.  
25          STEVE SAMPSON:       Yes.

1           FRANCES CHAVIS:       James Taft Smith.  
2           JAMES SMITH:            Yes.  
3           FRANCES CHAVIS:       Brad McMillian.  
4           BRAD McMILLIAN:        Yes.  
5           FRANCES CHAVIS:       Richard Locklear.  
6           RICHARD LOCKLEAR:     No.  
7           FRANCES CHAVIS:       Fernie Lambert, Jr.  
8           FERNIE LAMBERT:       Yes.  
9           FRANCES CHAVIS:       Shelley Strickland.  
10          SHELLEY STRICKLAND: No.  
11          FRANCES CHAVIS:       Ricky Burnett.  
12          RICKY BURNETT:       Yes.  
13          FRANCES CHAVIS:       Welford Clark.  
14          WELFORD CLARK:       No.  
15          LAURA SAMPSON:       We do not have a two-thirds vote.  
16 Is there anyone who would like to speak in the debate? Carrying  
17 on.  
18           JAMES LOCKLEAR:     Could you give us the total of the  
19 vote?  
20           LAURA SAMPSON:     Madame Secretary.  
21           FRANCES CHAVIS:     Twelve (12) yes, eight (8) no.  
22           LAURA SAMPSON:     So, the debate continues. Is there  
23 anyone who would like to speak that has not spoken?  
24           PAM SPAULDING:       Yes.  
25           LAURA SAMPSON:     Ms. Spaulding.

1 PAM SPAULDING: I think what we're failing to  
2 realize is, this is much like if -- a Court of law. And if I'm  
3 speeding, is it okay for me to go in there and not to get a  
4 ticket, not to be punished, just to say whatever? Simply put, I  
5 kind of felt honored when I ran this time for election and nobody  
6 ran against me. But, then I had to think.

7 It's not that I should take pride in myself. It's  
8 just that our people are so sick and tired of the confusion going  
9 on at this table that nobody wants to be a part of it. Now, I  
10 said that to say this, when we get down to doing the business of  
11 our people, when we go to the church, we like to say let's get  
12 down to doing the business of God.

13 Well, we need to get down to doing the business of  
14 our people. If that means that we have to hurt feelings, I'm  
15 sorry. If that means that we have to put aside differences, come  
16 together, whatever it means, then we need to abide by this  
17 constitution and what it says.

18 LAURA SAMPSON: Anyone else like to speak? Ms.  
19 Hunt.

20 SHARON HUNT: I want to echo what she's saying,  
21 Ms. Pam was saying, Spaulding was saying. We sit here, we go to  
22 meetings, we have committee meetings, we write rules,  
23 regulations, ordinances. And then we decide on them, we vote on  
24 them, and that's put into law. And then we break them all the  
25 time and we say okay, that's okay, we'll let you by this time.

1                   So, take the person's name out of it. Ask  
2 yourself did they do the right thing. Did they break the law?  
3 Did they violate the constitution? Did they violate the position  
4 in which they held? If they did, there's no way that you can  
5 keep this person as a candidate. If you agree that they violated  
6 it, then -- you can't just look at the person.

7                   I'm not here for that person. I'm here to speak  
8 for everyone out there. I'm speaking for -- I'm speaking for my  
9 community and your community. We're here to make sure that the  
10 laws are followed and carried out.

11                  LAURA SAMPSON:           Anybody else like to speak? Mr.  
12 James Taft.

13                  JAMES SMITH:            The year I run, the Board of  
14 Election went through smooth. Mr. McMillian and Kernice, all of  
15 us, we run that year. And there was seven of us. We had a  
16 smooth operation. We didn't have anybody to go back on the  
17 Election Board. The Election Board was run just like it should.

18                   I imagine some signatures didn't go on the back of  
19 the envelope, but they had an affidavit in there and we debated  
20 about the affidavit being a valid document. But, it was signed.  
21 It had a control number and it was signed by, and all the things  
22 in there. But, as soon as we had a contested election, then the  
23 Election Board was doing something wrong.

24                   I noticed in law and different things they say  
25 suspend a motion, you know, suspend the -- have a suspension on

1 the order or something, suspend the order or something. But, I  
2 don't know if they were suspending the order or not. But, any  
3 time you have a contested area you're going to have trouble. And  
4 that's where they tried to question the Election Board.

5 And it went smooth for me, when my election. When  
6 I run, I didn't see any fault, no failure in any of them. I  
7 thought they done an excellent job.

8 LAURA SAMPSON: Thank you, Mr. Taft. Mr.  
9 Strickland.

10 STEVE SAMPSON: I mean, we are all grown people  
11 here and we know right from wrong. If you can't follow this  
12 here, you need to resign tonight.

13 LAURA SAMPSON: Would anybody else like to speak  
14 who hasn't spoken? Mr. Clark.

15 WELFORD CLARK: I just feel better standing up. I  
16 don't know why. In our presence tonight, -- he was in here, he  
17 may have stepped out. Is Mr. Dock Locklear still in here from  
18 the County Election Board? Wasn't he in here?

19 But, can you imagine -- can you imagine Dock  
20 Locklear calling the folks up at Raleigh tomorrow and saying look  
21 here, I know we got the North Carolina General Statute such-and-  
22 such says we got to do these elections in November just like  
23 this. But, what we've decided to do down here in Robeson County,  
24 we've found a better way. So, we're not going to follow the  
25 State Law. Y'all have a good day, now.

1           Now, that wouldn't cut it. That just simply  
2 wouldn't cut it. And I'm saying to you, this government to me is  
3 just as precious and is just as sacred as the State Government.  
4 And this constitution and these ordinances that we write are just  
5 as precious to me and mean just as much to me as North Carolina  
6 General Statute whatever it is in Raleigh.

7           So, we cannot in good faith sit here and allow  
8 someone just because something runs smooth -- you know, you can  
9 run 90 miles-an-hour up the interstate, a hundred cars, and y'all  
10 can all go to Virginia and not wreck. Well, they run smooth, but  
11 they still broke the law. But, if that Highway Patrolman would  
12 have stopped one of you, you can't say well, nothing didn't  
13 happen, everything was running smooth officer, why are you giving  
14 me a ticket.

15           Do you understand what I'm saying? That's  
16 foolishness for us to look at it -- the law is the law is the law  
17 is the law. If the law don't mean nothing to you, you ought to  
18 step down and go home because it means something to 8,000 people  
19 who voted. You must uphold the law. They're guilty, they  
20 admitted they're guilty.

21           The Election Ordinance says then if you admit your  
22 guilt what's the punishment. And the elections law that you  
23 wrote says this is the punishment. All I'm saying to this is  
24 stand by what you wrote and declare Oceanus Lowery ineligible as  
25 a candidate because of his willful and blatant over a period of

1 two years violation of tribal ordinances.

2 His intentions -- and let me finally say this --  
3 he took part unlawfully in the briefing for the candidates in the  
4 upcoming elections.

5 UNKNOWN AUDIENCE: No, he didn't.

6 WELFORD CLARK: Yes, he did.

7 UNKNOWN AUDIENCE: No, he did not.

8 WELFORD CLARK: Yes, he did. There are two  
9 candidates in here that will testify differently to you.

10 LAURA SAMPSON: If we could have some order,  
11 please.

12 WELFORD CLARK: There are two candidates in here  
13 that will testify that he took part in the briefing of the  
14 candidates on the night of 16th, right, on there, on the night of  
15 the 16th. He took -- and do you know what was said to those  
16 people? There's two candidates in here. They says we're not  
17 going to follow it this year.

18 There are two candidates that filed for Tribal  
19 Council that are sitting in this room will testify to that very  
20 thing.

21 LAURA SAMPSON: Thank you, Mr. Clark. Is there  
22 anyone else who would like to speak?

23 KERNICE LOCKLEAR: Ms. Laura?

24 LAURA SAMPSON: Mr. Kernice.

25 KERNICE LOCKLEAR: The Election Board, if they would

1 have seen a fault in Oceanus Lowery, he would not have been on  
2 the ballot.

3 WELFORD CLARK: Please.

4 LAURA SAMPSON: Can we have some order, please?

5 PAM SPAULDING: I'm sorry, we couldn't hear you.

6 KERNICE LOCKLEAR: I said if the Election Board --  
7 it's totally separate from us. I know we wrote the law or it was  
8 written before I got here. In 2005, it was written; right? So,  
9 in 2006, when I was elected, there was no problem with it. Now,  
10 all of a sudden, there's a problem. So, if the Election Board  
11 would have seen if there's something wrong with Mr. Oceanus, he  
12 probably wouldn't have been a candidate. That's all I've got to  
13 say.

14 LAURA SAMPSON: Thank you, Mr. Kernice. Mr. John.

15 JOHN LOWERY: There was a Supreme Court related  
16 to the Election Board. As Chairman of the Election Board, this  
17 person that we're speaking about went before the Supreme Court.  
18 The Supreme Court, which is the highest court of our government,  
19 if I'm not mistaken, one of the Tribal Council members sitting  
20 here tonight helped run the case against Mr. Oceanus, if I'm not  
21 mistaken. And the Supreme Court ruled.

22 Now, a few years ago, the Supreme Court ruled on a  
23 previous Election Board and that Election Board went to the house  
24 because of the way things happened. Now, as a school teacher, if  
25 I had one student messing up real bad, and then if I have another

1 student who messes up just as bad as the first one did, I'm going  
2 to provide the same punishment for both of them.

3 Now, if they sent one Election Board to the house  
4 for messing up, why didn't they send this Election Board to the  
5 house for messing up? I can't understand that, you know.  
6 Everybody's a failure, you know. The Supreme Court fails, the  
7 Election Board fails, you know, the Chairman fails. Everybody's  
8 a failure, you know.

9 The whole -- I mean, we're failures, you know. I  
10 mean, the constitution's slam out the door, you know, the  
11 government's all covered up. All we're doing is lying, cheating  
12 and stealing, you know. I mean, -- I mean, really. That -- I  
13 mean, this is all personalities, people. It's all about  
14 personality.

15 I don't care what you hear on the streets, I don't  
16 care what you read in the papers. It's a personality issue.  
17 That's all it is. It's personalities issues. Okay? Once and  
18 for all. And, you know, you can take that up and you don't have  
19 to believe it. But, at the end of the day, that's what it is.  
20 Run, you know.

21 Sign up, run and come to sit in these seats, and I  
22 guarantee you, you sit in one of these meetings, just one of  
23 these meetings, and you'll have it all figured out in about two  
24 hours time that it's all about personality. Okay? That's what  
25 it's all about people, personality. Personality, personality,

1 that's what it's all about, point-blank, period.

2 Now, you're going to hear that I'm wrong and I'm  
3 lying, and that's fine. Because I sit on a spot on the Council,  
4 cool, so of course I'm lying; right? So, I take it with a grain  
5 of salt.

6 LAURA SAMPSON: Thank you, John. Ms. Hunt?

7 AUDREY HUNT: I'm not here about lying, or  
8 cheating or stealing. And John, I will have to say you're lying,  
9 it's not about personality. It's about the constitution. And by  
10 the way, we did remove an election board and you ask why didn't  
11 we get rid of this one? We had a motion, we had a second, and we  
12 didn't vote on it. So, the attempt was made to remove the  
13 Election Board, but the vote was not taken place, it was not  
14 allowed.

15 LAURA SAMPSON: Ms. Hunt, I would like to respond  
16 --

17 AUDREY HUNT: Okay.

18 LAURA SAMPSON: -- that that issue was not on the  
19 agenda. There is a reason we have an agenda. The reason we have  
20 an agenda is that we have a road-map. That agenda at each  
21 meeting as you've seen here tonight, the agenda is approved with  
22 or without additions. That addition was not made to the agenda.

23 So, the motion to hear that that night was out of  
24 order because the agenda had been approved and accepted. And it  
25 was nowhere about the agenda. So, to hear that motion would have

1 been out of order.

2 WELFORD CLARK: I beg your pardon, Madame Speaker.

3 LAURA SAMPSON: Ms. -- excuse me.

4 WELFORD CLARK: There is a Tribal Council ordinance  
5 on the quorum of Tribal Council meetings that gives a Tribal  
6 Council member --

7 LAURA SAMPSON: Ms. Mitchell.

8 WELFORD CLARK: -- the right to make a motion of  
9 his choosing, irrespective of the agenda.

10 LAURA SAMPSON: Ms. Mitchell.

11 LOUISE MITCHELL: That is another point that we will  
12 be getting into later on that, that particular issue that you are  
13 talking about, Madame Speaker. But, right now, we are dealing  
14 with the ordinance that was violated. It was violated by the  
15 Election Board when they refused -- refused to obey the law.

16 If we sit and we write the law, and then everybody  
17 says well, I'm not gonna follow the law, what good is it coming  
18 here to write the law? So, I say that basically, the issue is  
19 about the violation of this ordinance that the Election Board has  
20 done.

21 LAURA SAMPSON: Thank you, Ms. Mitchell. Ms.  
22 Graham.

23 JAMES LOCKLEAR: Ms. Louise. All right, go ahead.

24 WENDY MOORE-GRAHAM: Excuse me, Mr. James, I have the  
25 floor.

1 JAMES LOCKLEAR: Yeah, go ahead, Baby.

2 WENDY MOORE-GRAHAM: According to Mr. James Harold, Mr.  
3 Lowery was out as the Election Board's Chair soliciting votes  
4 prior to any removal from the Election Board. And it -- it  
5 wreaks of impropriety that someone would stay there until the  
6 eleventh hour, get all their I's dotted, T's crossed, and have  
7 access to so much information that other candidates, Mr. Joe  
8 Smith, Candidate, does not have access to.

9 Mr. Oceanus made the statement that he was  
10 bringing integrity, he wanted to bring integrity to the Council.  
11 I'll say you can't bring what you're not packing.

12 (Outburst from the audience.)

13 LAURA SAMPSON: Any other debate?

14 WELFORD CLARK: And I apologize to you for speaking  
15 over you. That was out of protocol. I apologize.

16 WENDY MOORE-GRAHAM: I mean what I'm saying, and I ain't  
17 laughing.

18 LAURA SAMPSON: Any debate? Hearing none, there is  
19 a motion on the floor. Madame Secretary, may we have a roll call  
20 vote.

21 FERNIE LAMBERT: What's the motion?

22 AUDREY HUNT: It come of committee. You don't  
23 need a --

24 LAURA SAMPSON: It's the resolution. It needs no  
25 second. Madame Secretary.

1           FRANCES CHAVIS:       Audrey Hunt.  
2           AUDREY HUNT:           Yes.  
3           FRANCES CHAVIS:       Sharon Hunt.  
4           SHARON HUNT:           Yes.  
5           FRANCES CHAVIS:       Louise Mitchell.  
6           LOUISE MITCHELL:       Yes.  
7           FRANCES CHAVIS:       Laura Sampson.  
8           LAURA SAMPSON:       No.  
9           FRANCES CHAVIS:       Pam Spaulding.  
10          PAM SPAULDING:        Yes.  
11          FRANCES CHAVIS:       Helen Locklear.  
12          HELEN LOCKLEAR:       No.  
13          FRANCES CHAVIS:       Kernice Lee Locklear.  
14          KERNICE LOCKLEAR:     No.  
15          FRANCES CHAVIS:       John Lowery.  
16          JOHN LOWERY:           No.  
17          FRANCES CHAVIS:       Frances Chavis. No.  
18                                Larry Chavis.  
19          LARRY CHAVIS:        No.  
20          FRANCES CHAVIS:       Ray Littleturtle.  
21          RAY LITTLE TURTLE:    I abstain.  
22          FRANCES CHAVIS:       James Harold Locklear.  
23          JAMES LOCKLEAR:       No.  
24          FRANCES CHAVIS:       Wendy Moore-Graham.  
25          WENDY MOORE-GRAHAM:   Yes.

1 FRANCES CHAVIS: Steve Sampson.  
2 STEVE SAMPSON: I abstain.  
3 FRANCES CHAVIS: James Taft Smith.  
4 JAMES SMITH: No.  
5 FRANCES CHAVIS: Brad McMillian.  
6 BRAD McMILLIAN: No.  
7 FRANCES CHAVIS: Richard Locklear.  
8 RICHARD LOCKLEAR: Yes.  
9 FRANCES CHAVIS: Fernie Lambert.  
10 FERNIE LAMBERT: No.  
11 FRANCES CHAVIS: Shelley Strickland.  
12 SHELLEY STRICKLAND: Yes.  
13 FRANCES CHAVIS: Ricky Burnett.  
14 RICKY BURNETT: Yes.  
15 FRANCES CHAVIS: Welford Clark.  
16 WELFORD CLARK: Yes.  
17 FRANCES CHAVIS: Nine (9) yes, ten (10) no, two (2)  
18 abstentions.  
19 LAURA SAMPSON: The vote carries. Mr. John.  
20 JOHN LOWERY: All right. And the last issue on  
21 the --  
22 LAURA SAMPSON: I'm sorry, vote fails.  
23 ("Motion 10" - resolution of Tribal Council Candidate  
24 Conflict of Interest issued failed.)  
25 JOHN LOWERY: The last issue on the table is the

1 Tribal Speaker issue. The issue arose in Committee to remove the  
2 speaker. The motion failed in Committee because of the lack of a  
3 two-thirds vote according to Robert's Rule of Order. And with  
4 that, that's my report.

5 LAURA SAMPSON: Thank you, Mr. John. Moving along  
6 on the agenda.

7 WELFORD CLARK: Madame Speaker, that is incorrect.

8 JOHN LOWERY: Mr. John --

9 WELFORD CLARK: Committees -- items coming forth  
10 from committees simply need a majority vote. The convening  
11 authority on the issue of the Speaker, the Tribal Council, the  
12 appointing authority, must have a two-thirds vote. But, you will  
13 not find in Robert's Rules of Order a requirement for two-thirds  
14 vote for a motion to come out of Committee.

15 The Committee is a recommendation. It is not an  
16 action, but a recommendation. The Committee can't expel her --  
17 or excuse me -- cannot expel the Speaker.

18 JOHN LOWERY: This is Robert's Rules of Order,  
19 newly revised, Henry M. Robert, III. I also have three other  
20 editions of Robert's Rules of Order that I went and personally  
21 bought just in case anybody wants a copy of them. It says --

22 ATTORNEY BROOKS: What section, Sir?

23 JOHN LOWERY: This is page 470. It says:

24 (Reading document.)

25 "Procedures in small boards, --

1           LOUISE MITCHELL:       We're not a small board. We're an  
2 assembly.

3           JOHN LOWERY:           Let me finish. Let me finish.  
4           (Reading document.) It says, "Sometimes when --

5           WELFORD CLARK:        Are we still reading from the  
6 section for small boards?

7           JOHN LOWERY:           Yes, Sir.

8           WELFORD CLARK:        This is not a small board.

9           JOHN LOWERY:           But, it deals with also --  
10 committees also.

11          FRANCES CHAVIS:       I make a motion we go in closed  
12 session because it deals with a person.

13          BRAD McMILLIAN:       I second it.

14          LAURA SAMPSON:        There's a motion on the floor and a  
15 second that the Council is going into closed session. Is there  
16 any debate? Hearing none, all in favor.

17           (Ayes were given.)

18           All opposed.

19           (No nays were given.)

20          LAURA SAMPSON:        We are now in closed session.

21           (Motion "11" was approved to go into closed session.)

22           (Closed session began at 8:06 p.m.)

23           (Closed session ended at 8:57 p.m. and open session  
24 resumed.)

25          LAURA SAMPSON:        Next on the agenda is our Economic

1 Development Committee report, Mr. Bradley McMillian.

2 **Economic Development Committee Report**

3 BRAD McMILLIAN: Good evening. We have one resolution.

4 It's CLLR-2008-10-16. It states:

5 (Reading document.)

6 "Therefore be it even further resolved, the Tribal  
7 Council does request two signatures attesting the  
8 balance of funds when being transferred from the  
9 Economic Development Committee to the Tribal Planning  
10 office for deposits."

11 LAURA SAMPSON: You have before you Economic  
12 Development Fund Policy resolution. Is there any debate?

13 RAY LITTLETURTLE: I make a motion that we accept it.

14 LAURA SAMPSON: Coming from Committee, it needs no  
15 second. All in favor.

16 (Ayes were given.)

17 LAURA SAMPSON: I apologize. Roll call vote.

18 FRANCES CHAVIS: Audrey Hunt.

19 AUDREY HUNT: Yes.

20 FRANCES CHAVIS: Sharon Hunt.

21 SHARON HUNT: Yes.

22 FRANCES CHAVIS: Louise Mitchell.

23 LOUISE MITCHELL: Yes.

24 FRANCES CHAVIS: Laura Sampson.

25 LAURA SAMPSON: Yes.

1 FRANCES CHAVIS: Pam Spaulding.  
2 PAM SPAULDING: Yes.  
3 FRANCES CHAVIS: Helen Locklear.  
4 HELEN LOCKLEAR: Yes.  
5 FRANCES CHAVIS: Kernice Lee Locklear.  
6 KERNICE LOCKLEAR: Yes.  
7 FRANCES CHAVIS: John Lowery.  
8 JOHN LOWERY: Yes.  
9 FRANCES CHAVIS: Frances Chavis. Yes.  
10 Larry Chavis.  
11 LARRY CHAVIS: Yes.  
12 FRANCES CHAVIS: Ray Littleturtle.  
13 RAY LITTLETURTLE: Yes.  
14 FRANCES CHAVIS: James Harold Locklear.  
15 JAMES LOCKLEAR: Yes.  
16 FRANCES CHAVIS: Wendy Moore-Graham.  
17 WENDY MOORE-GRAHAM: Yes.  
18 FRANCES CHAVIS: Steve Sampson.  
19 STEVE SAMPSON: Yes.  
20 FRANCES CHAVIS: James Taft Smith.  
21 JAMES SMITH: Yes.  
22 FRANCES CHAVIS: Brad McMillian.  
23 BRAD McMILLIAN: Yes.  
24 FRANCES CHAVIS: Richard Locklear.  
25 RICHARD LOCKLEAR: (No response.)

1 FRANCES CHAVIS: Fernie Lambert.

2 FERNIE LAMBERT: Yes.

3 FRANCES CHAVIS: Shelley Strickland.

4 SHELLEY STRICKLAND: Yes.

5 FRANCES CHAVIS: Ricky Burnett.

6 RICKY BURNETT: Yes.

7 FRANCES CHAVIS: Welford Clark.

8 WELFORD CLARK: Yes.

9 FRANCES CHAVIS: Nineteen (19) yes, zero (0) nos,  
10 zero (0) abstentions.

11 ("Motion 12" - resolution requiring two signatures to  
12 transfer funds from Economic Development to Tribal Planning was  
13 approved.)

14 BRAD McMILLIAN: Thank you. The only other I have  
15 is in your packet, was a letter that was sent to Roger's Screen  
16 Printing. The letter was just sent because from now on we're  
17 going to start doing bids as far as our merchandise goes. And I  
18 just wanted you guy to have it to read over it. And we can  
19 discuss it at our next meeting.

20 RAY LITTLETURTLE: Mr. Brad?

21 BRAD McMILLIAN: Yes, Sir.

22 RAY LITTLETURTLE: When you say Roger's Screen  
23 Printing, does that all include your powwow shirts and all?

24 BRAD McMILLIAN: Any merchandise that is purchased  
25 for the Economic Development, which that does include some of the

1 powwow shirts that we sell.

2 RAY LITTLE Turtle: We still have at our disposal a  
3 super professional. He did a couple of times ago the shirts.  
4 That's all I have.

5 BRAD McMILLIAN: All right, thank you.

6 LAURA SAMPSON: Thank you, Mr. McMillian.

7 Education and Culture is our next committee report. But, before  
8 we do that, we have reached our time limit. It is 9:00 o'clock.  
9 At this time, we will need --

10 LARRY CHAVIS: I make a motion that we extend the  
11 meeting at least an additional 15 minutes.

12 STEVE SAMPSON: Second.

13 LAURA SAMPSON: There is a motion to extend the  
14 meeting for an additional 15 minutes and a second. All in favor.

15 (Ayes were given.)

16 LAURA SAMPSON: Any opposed?

17 (No nays were given.)

18 LAURA SAMPSON: Hearing none, the motion carries.

19 (Motion to extend the meeting an additional 15 minutes  
20 was approved.)

21 LAURA SAMPSON: Education and Culture, Mr. Fernie  
22 Lambert.

23 **Education and Culture Committee Report**

24 FERNIE LAMBERT: The Education, Culture and Public  
25 Relations Committee met on the 9th of October. And at that

1 meeting, we only had about five members present, Tribal Council  
2 members. And we had a guest that night, Mr. Stan Allen, whose  
3 from New Bern, North Carolina. I met the individual almost a  
4 month ago up at Indian Trail at the powwow up there. Mr. Welford  
5 Clark introduced him to me.

6           And this individual is writing a book and he is  
7 very familiar with all the Indian Tribes here in the State of  
8 North Carolina. And the book he's putting together, it's going  
9 to be a pictorial and a script. And he brought with him an album  
10 from the 1970's and the 1980's. And the Council members that we  
11 had at that meeting were very impressed with the contents of that  
12 album.

13           And in fact, it was one of our female Council  
14 members here, we saw a picture of what she was like when she was  
15 young, so. But, anyway I'd like to thank Mr. Welford for  
16 introducing me to Mr. Allen up there at the Indian Trails. And  
17 he plans to come back in the near future.

18           He's working to get a schedule of the elders,  
19 working with Ms. Natascha Tilson. He wants to come and take  
20 photographs of all the elders in the ten groups that we have, and  
21 he wants to make that part of his book somewhere down the road.  
22 And he said he would be glad to share some of those books with us  
23 when the rubber meets the road.

24           One of the things we didn't talk much about, last  
25 month I gave you a report that we had talked about the

1 possibility of coming up with some rules for the Community  
2 Centers. Well, we didn't figure -- feel like we had enough  
3 people that had Community Centers in their districts to address  
4 that issue. So, we just left that right on the table.

5                   So, and that's pretty much it for the Education  
6 and Culture Committee.

7                   SHARON HUNT:            Can I add something to your  
8 committee report?

9                   FERNIE LAMBERT: Sure, you certainly can.

10                  SHARON HUNT:            I'd just like to add that President  
11 Bush signed HR2786 and made it into the law the NAHASDA Act this  
12 week, yesterday I think it was. And that just gives the NAHASDA  
13 Act more substance.

14                   And also, earlier this week, he also designated  
15 the Friday after Thanksgiving to be now designated as a day of  
16 tribute. And the President signed the BACA Bill creating Native  
17 American Heritage Day 2008. It's the day after Thanksgiving.  
18 And it encourages Americans of all backgrounds to observe Friday,  
19 November 28th as Native American Heritage Day through appropriate  
20 ceremonies and activities. That's it.

21                  FERNIE LAMBERT: I'd like to add a little note. Next  
22 month is American Indian Heritage Month. And our Lumbee  
23 Warriors, whose all veterans, we've got quite a few commitments  
24 for next month. We've got Camp Lejeune, we've got Fort Jackson,  
25 South Carolina, we've got the VA Medical Center at Fayetteville,

1 and we've got Fort Bragg, and the requests are still coming in.

2 So, we're going to be pretty active. So, we are  
3 going to be out there representing the Lumbee Tribe. And we're  
4 going to do it in good taste. Thank you.

5 LAURA SAMPSON: Thank you so much, Mr. Fernie.

6 Next is our Ethics Committee Report. And that was Mr. Kernice  
7 Locklear, who needed to leave due to a death in his family and a  
8 wake that was tonight. And he asked me to just say that he did  
9 not have a report.

10 Next on the agenda is Federal Recognition, which  
11 will be an oral report.

12 **Federal Recognition Committee Report**

13 RAY LITTLETURTLE: I won't stand up because I've  
14 got a bum leg. But, I had a chance to talk to Senator Dole. She  
15 said it was running out of time. She was very nonchalant. I  
16 gave her \$100 on her campaign and went on about my business.

17 I then met with Mary Hagan -- or Kaye Hagan. She  
18 promised that our attorney could operate out of her office on the  
19 bill and would start it immediately after she's elected. And I  
20 tell you, vote your conscience. With Dole, she did work for a  
21 while, but when it came down to the real job, she dropped the  
22 ball and we didn't get anything.

23 So, right now we're in limbo. They'll have to be  
24 another bill started in the House and through the Senate.

25 LAURA SAMPSON: Thank you, Mr. Ray.

1           STEVE SAMPSON:           Let me ask Mr. Ray a question. Mr.  
2 Ray, does this mean we have to start all back over as far as the  
3 Federal Recognition?

4           RAY LITTLETURTLE:       Yeah. It's starting back at the  
5 House. And if it goes the way I think it -- I consider myself a  
6 amateur political person -- it's going to be an override of  
7 Democrats in the House and the Senate. And we've had no problems  
8 in the House. Those same people will be there to carry it right  
9 through the House, and we'll have a majority -- we're hoping a  
10 majority in the Senate where the closure can't be made.

11          LAURA SAMPSON:        Thank you, Mr. Ray. Any other  
12 questions for Mr. Ray? All right. Next on the agenda is our  
13 Finance Report, Mr. James Harold.

14                                   **Finance Committee Report**

15          JAMES LOCKLEAR:        Okay, looking at our financial  
16 report for the night, we have a -- we have listed a budget  
17 amendment, and these amendments are supposed to be attached to  
18 our budget. Amendments are supposed to be attached to our budget  
19 for year 2007-2008. And it reads:

20                                   (Reading document.)

21                                   "Be it further resolved the Tribal Council of  
22 Lumbee Tribe of North Carolina does request these funds  
23 to be transferred from the Administration's salary line  
24 item."

25                                   And let me read above that. It says:

1 (Reading document.)

2 "Be it resolved, the Tribal Council of the Lumbee  
3 Tribe of North Carolina authorizes the Tribal Council  
4 -- excuse me -- Tribal Finance office to transfer ten  
5 thousand (\$10,000) dollars into a newly created line  
6 item for Scotland County American Indian Museum  
7 expenses, and twenty-five thousand (25,000) into a  
8 newly created line item for Prospect Club House  
9 Community Center rehabilitation."

10 And the next item, --

11 PAM SPAULDING: Excuse me.

12 LAURA SAMPSON: Mr. James, --

13 JAMES LOCKLEAR: I'm sorry, I'm sorry.

14 LAURA SAMPSON: We'll just take one at a time, if  
15 that's okay.

16 JAMES LOCKLEAR: Oh, one at a time?

17 LAURA SAMPSON: Yes.

18 PAM SPAULDING: Mr. James, I would ask that we be  
19 exact as to which Administration's salary line item that is  
20 coming from. Could you --

21 JAMES LOCKLEAR: Ms. Tammy?

22 PATRICK STRICKLAND: It wasn't specified on here.

23 JAMES LOCKLEAR: It wasn't specified where it --

24 PAM SPAULDING: I know, but I'm asking that we  
25 specify it at this time before we pass it as a resolution.

1 AUDREY HUNT: Mr. James?

2 JAMES LOCKLEAR: Yes, Ma'am.

3 AUDREY HUNT: I make a motion we send this back  
4 to Committee so that we can look at the budget and determine  
5 where this money will come from.

6 LOUISE MITCHELL: And I'll second that.

7 JAMES LOCKLEAR: Okay. It's been moved and seconded  
8 it that we -- the resolutions be sent back to the --

9 LAURA SAMPSON: Hold on one second.

10 SHARON HUNT: If we send this back to Committee,  
11 will it -- do we have a time-line that --

12 JAMES LOCKLEAR: Yeah, because we have our next  
13 Finance meeting that's coming up, because we tabled some issues  
14 and we need to go back over those.

15 SHARON HUNT: I mean, is there a time-line for  
16 the 10,000 for the Scotland County Museum and the Prospect Club  
17 House?

18 LAURA SAMPSON: Tammy, can you speak to that?

19 JAMES LOCKLEAR: Mr. Fernie?

20 FERNIE LAMBERT: Pretty soon, those bills are going  
21 to be coming in for the energy and they'll probably start coming  
22 in any day and they have to paid. We only had just a very few  
23 days before they have to be paid. So, they're -- yes, time is o  
24 essence.

25 LAURA SAMPSON: And Tammy, would you like to add to

1 that?

2 TAMMY MAYNOR: I would recommend at this point  
3 that it come out of the Administration -- out of the  
4 Administration's salaries instead of --

5 PAM SPAULDING: Which? Is there a specific is what  
6 we're asking?

7 TAMMY MAYNOR: In -- just in specifically where  
8 I'm paid from, Patrick, those of us under the administrative part  
9 of the budget, come out of there. Because, you know, we broke  
10 them out by departments. It's very detailed. Rehab department,  
11 new construction. I'm saying take it out of administration.

12 PAM SPAULDING: But, are there line items -- are  
13 there not line items in that administrative line items, vacant  
14 positions that are not --

15 TAMMY MAYNOR: Yes.

16 PAM SPAULDING: So, could you just name us a  
17 specific --

18 TAMMY MAYNOR: Just take it from the Tribal  
19 Administrator's salary.

20 LOUISE MITCHELL: I thought that was your salary.

21 TAMMY MAYNOR: Well, it will offset, because most  
22 of my salary comes out of Director of Governmental Affairs.

23 LOUISE MITCHELL: So, you're saying Tribal  
24 Administrator's --

25 AUDREY HUNT: Well, we could take it out of

1 Finance Director. We don't have a Finance Director.

2 LAURA SAMPSON: Is there any other debate? Is  
3 there a motion on the floor?

4 PAM SPAULDING: Yes.

5 AUDREY HUNT: There was.

6 LAURA SAMPSON: Would you like to restate your  
7 motion?

8 PAM SPAULDING: Yes, I'd like to offer a motion  
9 that we amend this last therefore to read transferred from the  
10 Administrative salary line item of Finance Director.

11 FERNIE LAMBERT: Second.

12 LAURA SAMPSON: Mr. Secretary, if we could have the  
13 roll call vote, please. This is with the amendment. Do we need  
14 to have Ms. Spaulding restate her motion? Was there another  
15 motion on the floor?

16 AUDREY HUNT: Mine was the first motion.

17 LAURA SAMPSON: And what was your motion?

18 AUDREY HUNT: My motion was to table it until we  
19 could find our where we're going to take this money from.

20 LAURA SAMPSON: Okay, so there's --

21 AUDREY HUNT: And there was a second and then we  
22 went on that.

23 LAURA SAMPSON: There's a second.

24 AUDREY HUNT: So, I'm going to withdraw mine  
25 since it was just overlooked any way.

1           LAURA SAMPSON:           Thank you very much. I apologize  
2 for overlooking your motion.

3           PAM SPAULDING:           I apologize. I was just trying to  
4 get Tammy to give us an answer.

5           LAURA SAMPSON:           Mr. Secretary, could we have a roll  
6 call vote, please?

7           PATRICK STRICKLAND:        Ms. Audrey Hunt.

8           AUDREY HUNT:                Yes.

9           PATRICK STRICKLAND:        Ms. Sharon Hunt.

10          SHARON HUNT:                Yes.

11          PATRICK STRICKLAND:        Ms. Louise Mitchell.

12          LOUISE MITCHELL:           Yes.

13          PATRICK STRICKLAND:        Ms. Laura Sampson.

14          LAURA SAMPSON:            Yes.

15          PATRICK STRICKLAND:        Pam Spaulding.

16          PAM SPAULDING:            Yes.

17          PATRICK STRICKLAND:        Helen Locklear.

18          HELEN LOCKLEAR:            Yes.

19          PATRICK STRICKLAND:        Kernice Locklear is absent.  
20 John Lowery is absent. Mr. Larry Chavis.

21          LARRY CHAVIS:               Yes.

22          PATRICK STRICKLAND:        Mr. Ray Littleturtle.

23          RAY LITTLETURTLE:           Yes.

24          PATRICK STRICKLAND:        Mr. James Harold Locklear.

25          JAMES LOCKLEAR:            Yes.

1 PATRICK STRICKLAND: Ms. Wendy Moore-Graham.  
2 WENDY MOORE-GRAHAM: Yes.  
3 PATRICK STRICKLAND: Mr. Steve Sampson.  
4 STEVE SAMPSON: Yes.  
5 PATRICK STRICKLAND: Mr. James Taft Smith.  
6 JAMES SMITH: Yes.  
7 PATRICK STRICKLAND: Brad McMillian.  
8 BRAD McMILLIAN: Yes.  
9 PATRICK STRICKLAND: Richard Locklear, he's off the  
10 phone. Mr. Fernie Lambert.  
11 FERNIE LAMBERT: Yes.  
12 PATRICK STRICKLAND: Shelley Strickland.  
13 SHELLEY STRICKLAND: Yes.  
14 PATRICK STRICKLAND: Ricky Burnett.  
15 RICKY BURNETT: Yes.  
16 PATRICK STRICKLAND: Welford Clark.  
17 WELFORD CLARK: Yes.  
18 PATRICK STRICKLAND: Seventeen (17) yes, the motion  
19 carries.  
20 LAURA SAMPSON: Thank you.  
21 ("Motion 13" - Resolution for budget amendment to  
22 transfer \$10,000 to Scotland County American Indian Museum and  
23 \$25,000 to Prospect Community Club House from Administration's  
24 salary line item was approved.)  
25 JAMES LOCKLEAR: Okay, the next resolution is

1 District 12 Community Powwow Emcee and Sound Equipment.

2 (Reading document.)

3 "Therefore, be it resolved the Tribal Council of the  
4 Lumbee Tribe of North Carolina does support and agree for  
5 the Tribal Administrator to make an exclusive payment in the  
6 amount of \$850 for Emcee and Sound Equipment Services."

7 LAURA SAMPSON: Is there any debate?

8 AUDREY HUNT: Just need to make a correction on  
9 it. We just need to make a correction on it.

10 LAURA SAMPSON: All right, and what's that  
11 correction?

12 AUDREY HUNT: On the -- we have the  
13 Administration to make a payment. And then that's repetitious,  
14 so you need to take that payment out. Just the word payment.

15 LAURA SAMPSON: Mr. James, would you like to  
16 comment?

17 JAMES LOCKLEAR: Yes.

18 AUDREY HUNT: Just take out word payment after  
19 the word make.

20 JAMES LOCKLEAR: Oh, yeah, yeah. Okay. Okay. To  
21 make payment inclusive -- to make an inclusive payment. Well  
22 done.

23 LAURA SAMPSON: Did you want to say something?

24 JAMES LOCKLEAR: Yeah, before we vote on this, I'm  
25 going to make an announcement. In our next finance meeting, do

1 you remember the finance package we have, you know, there's some  
2 things we need to get clear on. So, what we're going to try to  
3 do is have our auditor to be at our next meeting, and -- so we  
4 can go over these issues and things.

5 And we're talking about -- now that will be your  
6 next finance meeting. Okay? Yes, Sir.

7 LARRY CHAVIS: I'd like to make a motion to extend  
8 the meeting 15 more minutes.

9 STEVE SAMPSON: Second.

10 JAMES LOCKLEAR: Ms. Laura, I believe that motion's  
11 for you.

12 LAURA SAMPSON: There is a motion on the floor to  
13 extend the meeting by 15 minutes. Is there a second? There was.  
14 All in favor.

15 (Ayes were given.)

16 LAURA SAMPSON: Any opposed?

17 (No nays were given.)

18 LAURA SAMPSON: We'll extend 15 more minutes.

19 (Motion to extend the meeting for an additional 15  
20 minutes was approved.)

21 LAURA SAMPSON: You have a resolution before you.  
22 Is there any debate? Hearing none, --

23 RAY LITTLETURTLE: I abstain because it's about my  
24 family.

25 LAURA SAMPSON: Certainly, Mr. Ray. Was there

1 anybody else? Was somebody going to say something? Hearing

2 none, Mr. Secretary, may we have a roll call vote?

3 PATRICK STRICKLAND: Audrey Hunt.

4 AUDREY HUNT: Yes.

5 PATRICK STRICKLAND: Sharon Hunt.

6 SHARON HUNT: Yes.

7 PATRICK STRICKLAND: Louise Mitchell.

8 LOUISE MITCHELL: Yes.

9 PATRICK STRICKLAND: Laura Sampson.

10 LAURA SAMPSON: Yes.

11 PATRICK STRICKLAND: Pam Spaulding.

12 PAM SPAULDING: Yes.

13 PATRICK STRICKLAND: Helen Locklear.

14 HELEN LOCKLEAR: Yes.

15 PATRICK STRICKLAND: Mr. Larry Chavis.

16 LARRY CHAVIS: Yes.

17 PATRICK STRICKLAND: Mr. Ray Littleturtle.

18 RAY LITTLETURTLE: (Abstained).

19 PATRICK STRICKLAND: James Harold Locklear.

20 JAMES LOCKLEAR: Yes.

21 PATRICK STRICKLAND: Wendy Moore-Graham.

22 WENDY MOORE-GRAHAM: Yes.

23 PATRICK STRICKLAND: Steve Sampson.

24 STEVE SAMPSON: Yes.

25 PATRICK STRICKLAND: James Taft Smith.

1 JAMES SMITH: Yes.

2 PATRICK STRICKLAND: Brad McMillian.

3 BRAD McMILLIAN: Yes.

4 PATRICK STRICKLAND: Mr. Fernie Lambert.

5 FERNIE LAMBERT: Yes.

6 PATRICK STRICKLAND: Shelley Strickland.

7 SHELLEY STRICKLAND: Yes.

8 PATRICK STRICKLAND: Ricky Burnett.

9 RICKY BURNETT: Yes.

10 PATRICK STRICKLAND: Welford Clark.

11 WELFORD CLARK: Yes.

12 PATRICK STRICKLAND: Sixteen (16) yes, the motion  
13 carries.

14 LAURA SAMPSON: Thank you, Mr. Secretary.

15 (Motion "14" - resolution to make a payment of \$850  
16 for Emcee and Sound Equipment rental for powwow was approved.)

17 LAURA SAMPSON: Next on the agenda, is Health and Human  
18 Services. Mr. Steve Sampson will give that report.

19 **Health and Human Services Committee Report**

20 STEVE SAMPSON: I've already spoken at the  
21 beginning as to the -- add extra things to the agenda. I spoke  
22 in June about the Circle of Care grant, which would have brought  
23 \$312,000 a year to the Tribe. I understand this week -- correct  
24 me if I'm wrong, Mr. Ed -- but, we did not get that grant. We  
25 were turned down. We're still waiting for the reasons.

1 I do have one ordinance here that needs voting on,  
2 Tobacco-free Premises on Lumbee Tribal Property and Businesses.

3 (Reading document.)

4 "Therefore, be it resolved that the Tribal Council  
5 hereby adopts the following policy as of October 1st,  
6 2008; the use of commercial tobacco products will not  
7 be permitted inside or outside the building, facilities  
8 or vehicles owned or leased by the Lumbee Tribe of  
9 North Carolina. This policy is not intended to ban any  
10 traditional or sacred tobacco use.

11 "The Directors responsible for overseeing activities at  
12 each Tribal building are responsible for identifying  
13 and enforcing this change in policy.

14 "Be it further resolved that No Smoking signs or the  
15 international No Smoking sign, which is a symbol  
16 consistent with the pictorial representation of a  
17 burning cigarette enclosed in a red circle with a red  
18 cross across the cigarette shall be clearly,  
19 sufficiently and conspicuously posted in every building  
20 or every area where smoking is prohibited by this  
21 article.

22 "Be it further resolved that the Lumbee Tribal  
23 Council will impose a fine of \$50 for commercial  
24 tobacco use inside or outside the buildings, facilities  
25 or vehicles owned or leased by the Lumbee Tribe

1 following a one-time verbal warning. Any  
2 controversies, questions or complaints regarding this  
3 policy shall be directed to the Tribal Administrator  
4 for final determination."

5 It requires a vote.

6 LAURA SAMPSON: Thank you so much, Mr. Steve. All  
7 righty. Ms. Mitchell?

8 LOUISE MITCHELL: Yes, there is a typo error where it  
9 says permitted inside. It's got "our outside." It should be  
10 "or." I noticed Steve you read it as or, but on our paper it's  
11 O-U-R.

12 And also, I wanted to question whether this should  
13 be in an ordinance instead of a resolution to make it law.

14 LAURA SAMPSON: Steve, did you want to speak to  
15 that?

16 STEVE SAMPSON: Yes, yes.

17 LOUISE MITCHELL: It should be an ordinance instead  
18 of a resolution, --

19 STEVE SAMPSON: Yes, it should be an ordinance.

20 LOUISE MITCHELL: -- because a resolution is  
21 temporary. And if this is something you want to see in any of  
22 our property that we own, it should become a law instead of a  
23 resolution.

24 STEVE SAMPSON: I agree with that, Ms. Louise. Mr.  
25 Patrick, can this be typed in the form of a resolution versus an

1 ordinance?

2 LAURA SAMPSON: Any other discussion? Ms.  
3 Spaulding.

4 PAM SPAULDING: At one of the previous -- one of  
5 the recent meetings that I came to, there was smoking going on  
6 outside and I questioned Administration as to why that was going  
7 on. They said well, that's the beauty shop, we can't control  
8 that. My contention is that yes, we can control the beauty shop.  
9 That is part of our, you know, entity property. And that  
10 Administration should be directed to adhere to the law for those  
11 folks as well.

12 TAMMY MAYNOR: Yeah, and we have. Since then, we  
13 went to the beauty shop and let them know that we were enforcing  
14 that through the whole building, and that we expected her to help  
15 us enforce that.

16 PAM SPAULDING: Okay. Thank you.

17 TAMMY MAYNOR: She didn't have any problem with  
18 that.

19 RAY LITTLETURTLE: Are you aware that the Supreme  
20 Court said that you have to supply a place for people to smoke  
21 outside the building? The VA up in Fayetteville was sued and the  
22 smokers one. They made a little building for them to go in and  
23 smoke when it's raining.

24 LAURA SAMPSON: Thank you.

25 RAY LITTLETURTLE: So, be careful what you put in as

1 law, if somebody don't take it to court.

2 LAURA SAMPSON: Mr. Clark?

3 WELFORD CLARK: God, I don't want to vote against  
4 this thing. It'll make me look bad, worse than I already look.  
5 But, I think the \$50 fine is a little bit exorbitant. And I sure  
6 wish we would consider cutting that \$50 to 25. That's issue  
7 number one. I just think that's a little high.

8 Issue number two, it doesn't specifically say to  
9 Tribal employees or to Tribal members. But, quite obviously, if  
10 a Tribal member comes up to the office, the Tribal  
11 Administrator's going to have a hard time collecting \$50 from  
12 the. I can tell you that right now.

13 So, then if we turn right back around and we don't  
14 enforce it with Tribal members, we can't collect the money from  
15 them, and we turn right back around then and fine Tribal  
16 employees, I'm wondering just how we're going to work that. And  
17 how are we going to enforce this thing? Who's going to be the  
18 smoke sniffer, you know? Do you understand where I'm going? How  
19 are we going to enforce this thing for non-Tribal employees.

20 LAURA SAMPSON: Ms. Tammy, would you like to  
21 respond?

22 TAMMY MAYNOR: Yeah, we realize that's going to be  
23 hard, the non -- we haven't had an issue so far. Morgan's here.  
24 So far, everyone has adhered to that sign, you know, that big red  
25 sign that that's what he said with the slash down the middle. We

1 haven't had an issue so far with any smoking with the public, not  
2 that I've seen. I don't know about the other building.

3 We talked with Victoria's salon. They seem to be  
4 wanting to adhere to it because it -- aesthetically, it doesn't  
5 look good out front with the cigarette butts laying everywhere.  
6 So, I think it's overall been a good thing since we've enforced  
7 it October 1. But, I understand that the \$50 fine would be hard  
8 to enforce.

9 It's a lot easier with employees, but we do  
10 understand there's going to have to be some flexibility.

11 (Further discussion was held concerning the No Smoking  
12 policy resolution.)

13 LAURA SAMPSON: Do we have any further debate?  
14 Hearing none, Mr. Secretary, may we have a roll call vote.

15 PATRICK STRICKLAND: Audrey Hunt.

16 AUDREY HUNT: Yes.

17 PATRICK STRICKLAND: Ms. Sharon Hunt.

18 SHARON HUNT: Alex wants me to vote no, but  
19 I got to vote yes.

20 PATRICK STRICKLAND: Ms. Louise Mitchell.

21 LOUISE MITCHELL: Yes.

22 PATRICK STRICKLAND: Ms. Laura Sampson.

23 LAURA SAMPSON: Yes.

24 PATRICK STRICKLAND: Pam Spaulding.

25 PAM SPAULDING: Yes.

1 PATRICK STRICKLAND: Helen Locklear.  
2 HELEN LOCKLEAR: Yes.  
3 PATRICK STRICKLAND: Kernice Locklear is absent.  
4 Mr. Larry Chavis.  
5 LARRY CHAVIS: Yes.  
6 PATRICK STRICKLAND: Mr. Ray Littleturtle.  
7 RAY LITTLETURTLE: I abstain.  
8 PATRICK STRICKLAND: Mr. James Harold Locklear.  
9 JAMES LOCKLEAR: Abstain.  
10 PATRICK STRICKLAND: Ms. Wendy Moore-Graham.  
11 WENDY MOORE-GRAHAM: Yes.  
12 PATRICK STRICKLAND: Mr. Steve Sampson.  
13 STEVE SAMPSON: Yes.  
14 PATRICK STRICKLAND: Mr. James Taft Smith.  
15 JAMES SMITH: No.  
16 PATRICK STRICKLAND: Mr. Bradley McMillian.  
17 BRAD McMILLIAN: Yes.  
18 PATRICK STRICKLAND: Fernie Lambert.  
19 FERNIE LAMBERT: Yes.  
20 PATRICK STRICKLAND: Shelley Strickland.  
21 SHELLEY STRICKLAND: Yes and no. Yes.  
22 PATRICK STRICKLAND: Ricky Burnett.  
23 RICKY BURNETT: Yes.  
24 PATRICK STRICKLAND: Welford Clark.  
25 WELFORD CLARK: I'm on your side, Alex. I'll

1 vote no. And my issue is the \$50, it's not with the policy.

2 STEVE SAMPSON: Mr. Ray.

3 RAY LITTLETURTLE: I would like -- it might be too  
4 late now, but we in the cultural end of our Tribe use tobacco in  
5 a sacred way. Can this be worded --

6 LOUISE MITCHELL: It's in there.

7 STEVE SAMPSON: It's in there. All right, motion  
8 carries, Patrick?

9 PATRICK STRICKLAND: Thirteen (13) yes, two (2) nos, two  
10 (2) abstentions. Yes, the motion carries.

11 ("Motion 15" - resolution to enforce a No Smoking  
12 policy and fine on all Tribal businesses and properties was  
13 passed.)

14 STEVE SAMPSON: All right, one more thing. And I'd  
15 like to thank all of you for being patient and staying this long  
16 tonight. And this is very important. Let me ask you by a show  
17 of hands how many can afford a 40 percent increase on your light  
18 bill? A show of hands. A show of hands who can afford it.

19 All right. I passed out some of these cards at  
20 the beginning of the night, and I hope Tammy will let me lay some  
21 in the Tribal office. Let me tell you what these cards are.  
22 Folks, we barely missed a vote of Barbara Boxer called the Boxer  
23 Amendment.

24 Who's heard of global warming, climate change,  
25 energy bills? Both of your presidential candidates, they're

1 speaking energy bills, energy bills, energy bills. All this card  
2 is going to do is flood all your Congressmen and Representatives  
3 offices with e-mails through North Carolina EMC statewide. It's  
4 going to flood them with e-mails saying when you stand up on  
5 floors in Raleigh or Washington, that you think of the consumer  
6 at the end of the line paying his light bill every month.

7           Don't pass no crazy energy bills which are gonna  
8 cause light bills to double, and in some cases triple, in  
9 California, if some of these bills will pass. But, we missed the  
10 bullet. And these cards were very helpful the last time. And  
11 I've got onboard and I done 645 at the annual meeting the other  
12 day. And they're grateful.

13           We need to flood them. All we're asking is  
14 there's got to be a balance in these energy bills. We cannot  
15 pays these exorbitant fees because of -- maybe I shouldn't say it  
16 -- tree huggers. Yes, we are hurting our planet with coal, but  
17 they're saying that we've got to come up with technology that  
18 they don't even have. And they're giving us a tax now for  
19 something that they don't even have.

20           Whose going to fund this technology? You when you  
21 pay your light bill every month or the government that's  
22 mandating all this renewable energy. So, these cards will be at  
23 the Tribe. I encourage you, it don't matter if you're on the EMC  
24 line, city line, Progress Energy, whatever. Please fill these  
25 cards out and give them to your loved ones, your brothers, your

1 sisters.

2           If you can get your dog to put his paw on there.  
3 Fill these cards out on the back of them. If you don't turn them  
4 back into the Tribe, no postage necessary. Drop it in any  
5 mailbox. It will be sent to Raleigh and they will handle it for  
6 you.

7           Let me tell you what they ask here on this card.  
8 By the year 2030, our energy needs will double. By the end of  
9 the year 2030, that's not too far down the road, folks. Our  
10 energy needs will double. What is our Congressman going to do to  
11 see that we have the generating capacity to come up with this  
12 fuel? Who's going to fund this new technology?

13           And I'm gonna tell you right now. Some of it's  
14 already being passed along. I know I heard Progress Energy's got  
15 a 16 percent increase. Municipalities are asking for as much as  
16 20 percent increases. And somebody's got to pay this bill,  
17 folks. And the third this card is going to ask the Senators when  
18 they vote is how can we afford it. That's all this card's gonna  
19 do.

20           I have plenty of them up here. There will be some  
21 at the Tribe. Please take two minutes to fill this out and send  
22 it in. Thank you. That's it for my report. You can give them  
23 to me if you fill them out tonight and I'll see that they're  
24 mailed in.

25           PAM SPAULDING:           Madame Chairman, speaking of two

1 minutes, that's all that we've got left.

2 LAURA SAMPSON: Okay.

3 STEVE SAMPSON: I'm sorry.

4 LAURA SAMPSON: Thank you, that was good. I don't  
5 know if we can do it in two minutes, so is there a motion?

6 WELFORD CLARK: Call for a motion we take  
7 sufficient time to take care of housing.

8 LAURA SAMPSON: Second?

9 PAM SPAULDING: Second.

10 LAURA SAMPSON: All in favor?

11 (Ayes were given.)

12 LAURA SAMPSON: Any opposed?

13 (No nays were given.)

14 (Motion to extend the meeting for an additional 15  
15 minutes was approved.)

16 LAURA SAMPSON: All right. Next we have Housing,  
17 Mr. James Taft Smith.

18 **Housing Committee Report**

19 JAMES SMITH: Under Housing Committee, the first  
20 on our agenda, Rehabilitation and Payment Policy change. It  
21 says:

22 (Reading document.)

23 "Therefore it being further resolved, the Tribal  
24 Council of the Lumbee Tribe of North Carolina also requests  
25 the Tribal Administration to issue a 1099 form at the end of

1 the fiscal year to contractors who have received payments  
2 for rehabilitation services rendered to Tribal members."

3 LAURA SAMPSON: Thank you, Mr. James. There is a  
4 resolution before you. Is there any debate? Any concerns?

5 LOUISE MITCHELL: Madame Speaker, I would ask the  
6 Tribal Administrator, our Interim Tribal Administrator, if you  
7 could give us a policy on the new structure of the Rehabilitation  
8 program. We don't have the --

9 TAMMY MAYNOR: You don't have the final packet.

10 LOUISE MITCHELL: We don't have the final, and if you  
11 would put it in our mailboxes, I'd appreciate it.

12 LAURA SAMPSON: Was there a question on this side?

13 LARRY CHAVIS: No, I was going to make a motion to  
14 accept it.

15 LAURA SAMPSON: There's a motion.

16 LOUISE MITCHELL: You don't need a motion.

17 LAURA SAMPSON: Any other debate? Hearing none?

18 Mr. Secretary, may we have a roll call vote?

19 PATRICK STRICKLAND: Ms. Audrey Hunt.

20 AUDREY HUNT: Yes.

21 PATRICK STRICKLAND: Ms. Sharon Hunt.

22 SHARON HUNT: Yes.

23 PATRICK STRICKLAND: Louise Mitchell.

24 LOUISE MITCHELL: Yes.

25 PATRICK STRICKLAND: Laura Sampson.

1 LAURA SAMPSON: Yes.

2 PATRICK STRICKLAND: Pam Spaulding.

3 PAM SPAULDING: You better believe it.

4 PATRICK STRICKLAND: Helen Locklear.

5 HELEN LOCKLEAR: Yes.

6 PATRICK STRICKLAND: Mr. Larry Chavis.

7 LARRY CHAVIS: Yes.

8 PATRICK STRICKLAND: Mr. Ray Littleturtle.

9 RAY LITTLETURTLE: Yes.

10 PATRICK STRICKLAND: James Harold Locklear.

11 JAMES LOCKLEAR: Yes.

12 PATRICK STRICKLAND: Wendy Moore-Graham.

13 WENDY MOORE-GRAHAM: Yes.

14 PATRICK STRICKLAND: Mr. Steve Sampson.

15 STEVE SAMPSON: Yes.

16 PATRICK STRICKLAND: Mr. James Taft Smith.

17 JAMES SMITH: Yes.

18 PATRICK STRICKLAND: Bradley McMillian.

19 BRAD McMILLIAN: Yes.

20 PATRICK STRICKLAND: Mr. Fernie Lambert.

21 FERNIE LAMBERT: Yes.

22 PATRICK STRICKLAND: Mr. Shelley Strickland.

23 SHELLEY STRICKLAND: Yes.

24 PATRICK STRICKLAND: Ricky Burnett.

25 RICKY BURNETT: Yes.

1 PATRICK STRICKLAND: Welford Clark.

2 WELFORD CLARK: Yes.

3 PATRICK STRICKLAND: Seventeen (17) yes, zero (0)  
4 nos, the motion carries.

5 ("Motion 16" - resolution to issue 1099's each fiscal  
6 years to contractors performing rehabilitation services was  
7 approved.)

8 JAMES SMITH: Next on the agenda is District 4  
9 Community Center land search and negotiations.

10 (Reading document.)

11 "Let it therefore be resolved the Tribal Council of the  
12 Lumbee Tribe of North Carolina does support and agree to  
13 allow Tribal Administration to begin negotiations to  
14 establish a Community Center in District 4."

15 LAURA SAMPSON: Ms. Hunt?

16 AUDREY HUNT: Yes. This is supposed to be -- the  
17 therefore should be reflected that we're only negotiating the  
18 purchase of a land, not negotiation for to establish a center.  
19 It should be negotiation for land purchase.

20 LAURA SAMPSON: Negotiation for --

21 AUDREY HUNT: Purchase of land in District 4.

22 LAURA SAMPSON: Any other debate?

23 JAMES SMITH: Did someone make a motion to change  
24 it to land purchase?

25 AUDREY HUNT: Make a motion to accept the changes

1 -- accept with changes.

2 LAURA SAMPSON: Mr. Secretary?

3 PATRICK STRICKLAND: Ms. Audrey Hunt.

4 AUDREY HUNT: Yes.

5 PATRICK STRICKLAND: Ms. Sharon Hunt.

6 SHARON HUNT: Yes.

7 PATRICK STRICKLAND: Louise Mitchell.

8 LOUISE MITCHELL: Yes.

9 PATRICK STRICKLAND: Laura Sampson.

10 LAURA SAMPSON: Yes.

11 PATRICK STRICKLAND: Pam Spaulding.

12 PAM SPAULDING: Yes.

13 PATRICK STRICKLAND: Helen Locklear.

14 HELEN LOCKLEAR: Yes.

15 PATRICK STRICKLAND: Kernice Locklear (absent).

16 Mr. Larry Chavis.

17 LARRY CHAVIS: Yes.

18 PATRICK STRICKLAND: Mr. Ray Littleturtle.

19 RAY LITTLETURTLE: (Absent).

20 PATRICK STRICKLAND: Mr. James Harold Locklear.

21 JAMES LOCKLEAR: Yes.

22 PATRICK STRICKLAND: Steve Sampson.

23 STEVE SAMPSON: Yes.

24 PATRICK STRICKLAND: Mr. James Taft Smith.

25 JAMES SMITH: Yes.

1 PATRICK STRICKLAND: Bradley McMillian.  
2 BRAD McMILLIAN: Yes.  
3 PATRICK STRICKLAND: Richard Locklear (absent).  
4 Mr. Fernie Lambert.  
5 FERNIE LAMBERT: Yes.  
6 PATRICK STRICKLAND: Shelley Strickland.  
7 SHELLEY STRICKLAND: Yes.  
8 PATRICK STRICKLAND: Ricky Burnett.  
9 RICKY BURNETT: Yes.  
10 PATRICK STRICKLAND: Welford Clark.  
11 WELFORD CLARK: Yes.  
12 PATRICK STRICKLAND: Seventeen (15) yes, zero (0)  
13 nos, the motion carries.  
14 ("Motion 17" - resolution to negotiate land search and  
15 purchase in District 4 was passed.)  
16 JAMES SMITH: And the very last on the agenda is  
17 additional service. The case number is 0035425. It says:  
18 (Reading document.)  
19 "Therefore be it resolved that the Tribal Council  
20 of the Lumbee Tribe of North Carolina will agree to  
21 provide up to an additional 1,500 in service to -- in  
22 the case number that it was said in an effort to  
23 provide the adequate rehabilitation service needed."  
24 LAURA SAMPSON: Is there any debate?  
25 PAUL LOCKLEAR: I think they're mistaken, that

1 amount of money. I think that's supposed to be 7,500; isn't it?

2 JAMES SMITH: Yeah, I believe it was.

3 LAURA SAMPSON: Thank you, Mr. Paul.

4 STEVE SAMPSON: I thought Mr. Paul found a cheaper  
5 way to do it.

6 JAMES SMITH: Okay. Somebody make a motion for  
7 the change?

8 FERNIE LAMBERT: I was wondering if that was it.

9 JAMES LOCKLEAR: I make a motion that we change that --  
10 yeah, that 7,500. Excuse me. 7,500 should be placed where the  
11 1,500 is additional.

12 LAURA SAMPSON: Any other debate? Hearing none, is  
13 there a motion? Sorry. Second? No second. Mr. Secretary.

14 PATRICK STRICKLAND: Ms. Audrey Hunt.

15 AUDREY HUNT: Yes.

16 PATRICK STRICKLAND: Ms. Sharon Hunt.

17 SHARON HUNT: Yes.

18 PATRICK STRICKLAND: Louise Mitchell.

19 LOUISE MITCHELL: Yes.

20 PATRICK STRICKLAND: Laura Sampson.

21 LAURA SAMPSON: Yes.

22 PATRICK STRICKLAND: Pam Spaulding.

23 PAM SPAULDING: Yes.

24 PATRICK STRICKLAND: Helen Locklear.

25 HELEN LOCKLEAR: Yes.

1 PATRICK STRICKLAND: Larry Chavis.  
2 LARRY CHAVIS: Yes.  
3 PATRICK STRICKLAND: Ray Littleturtle. (No  
4 response). James Harold Locklear.  
5 JAMES LOCKLEAR: Yes.  
6 PATRICK STRICKLAND: Steve Sampson.  
7 STEVE SAMPSON: Yes.  
8 PATRICK STRICKLAND: James Taft Smith.  
9 JAMES SMITH: Yes.  
10 PATRICK STRICKLAND: Bradley McMillian.  
11 BRAD McMILLIAN: Yes.  
12 PATRICK STRICKLAND: Fernie Lambert.  
13 FERNIE LAMBERT: Yes.  
14 PATRICK STRICKLAND: Shelley Strickland.  
15 SHELLEY STRICKLAND: Yes.  
16 PATRICK STRICKLAND: Ricky Burnett.  
17 RICKY BURNETT: Yes.  
18 PATRICK STRICKLAND: Welford Clark.  
19 WELFORD CLARK: Yes.  
20 PATRICK STRICKLAND: The motion carries.  
21 ("Motion 18" - resolution to approve an addition \$7,500  
22 for the rehabilitation in case number 0035425.)  
23 JAMES SMITH: Ms. Speaker, that concludes my  
24 Housing Committee Report.  
25 LAURA SAMPSON: Thank you, Mr. Smith. Next on the

1 agenda is Calendar at Review.

2 **Calendar Review**

3 (The following items were either announced or added to  
4 the Tribal Council calendar.)

5 **October 2008**

6 **24th** 4:00 p.m. - Actor Solomon Trimble Meet and Greet at  
7 Lumbee Tribal Office

8 **24th-26th** (Times will be advertised)

9 LRDA Tribal Powwow at LRDA Powwow grounds

10 **25th** 10:00 - 2:00 noon - Pembroke Middle School

11 Caring Touch Fall Festival (10:00 - 2:00)

12 Clothe the World Foundation - beginning at noon

13 **27th** 6:30 p.m. - Health & Human Services Committee Meeting

14 **November 2008**

15 **6th** 6:30 p.m. - Education, Culture and Public Relations  
16 Committee Meeting

17 7:00 - Personnel Meeting

18 **7th** North Carolina Elders Coalition in Fayetteville

19 **7th-9th** Youth Leadership Conference

20 **8th** 10:00 - 4:00 Stand Down sponsored by Veterans Affairs  
21 Indian Education Gymnasium

22 **27th-28th** Offices closed for Thanksgiving Holiday

23 **28th** TBA - Request for Education and Culture Committee to  
24 arrange an event to recognize Native American  
25

1 Heritage Day 2008

2 (Meeting resumed.)

3 LAURA SAMPSON: Any other additions?

4 LOUISE MITCHELL: I move that we adjourn.

5 AUDREY HUNT: Second.

6 LAURA SAMPSON: There is a motion that we adjourn  
7 and a second. All in favor.

8 (Ayes were given.)

9 (No nays were given.)

10 (Motion to adjourn meeting was passed.)

11 LAURA SAMPSON: Preacher Ricky Burnett, if you  
12 would please give us our benediction.

13 (Closing benediction was given by Councilman Ricky  
14 Burnett.)

15 (Meeting adjourned at 9:50 p.m.)

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<u>Table of Motions</u>	<u>Page / Line</u>
1 "Motion 1" - Approved	7 / 20
2       Motion to Discuss any matters concerning Elected Officials	
3 in Closed Session.	
4 "Motion 2" - Approved	8 / 22
5       Motion to Approve Agenda with Amendments.	
6 "Motion 3" - Approved	12 / 2
7       Motion to Approve Tribal Council Actions from September with	
8 amendments.	
9 "Motion 4" - Approved	13 / 20
10       Motion to Extend time for Community Comments.	
11 "Motion 5" - Approved	22 / 25
12       Resolution to Approve Tribal Council Travel Ordinance with	
13 changes suggested by Tribal Administration.	
14 "Motion 6" - Approved	32 / 8
15       Motion to table availability of Tribal Members Profiles	
16 until further review.	
17 "Motion 7" - Approved	43 / 1
18       Resolution to accept the nomination of Joel Garth Locklear	
19 into the Supreme Court.	
20 "Motion 8" - Approved	45 / 16
21       Motion to submit names for nominees to positions in the form	
22 of a resolution.	
23 "Motion 9" - Approved	47 / 22
24       Motion to accept nomination of Carol Goins to	
25	

1 Elections Board.

2 "Motion 10" - Failed 72 / 24

3 Resolution on Tribal Council Candidate Conflict of Interest.

4 "Motion 11" - Approved 74 / 22

5 Motion to go into closed session.

6 "Motion 12" - Approved 77 / 12

7 Resolution requiring two signatures to transfer funds from

8 Economic Development to Tribal Planning.

9 "Motion 13" - Approved 88 / 22

10 Resolution to transfer \$10,000 to Scotland County American

11 Indian Museum and \$25,000 to Prospect Community Club House from

12 Administration's salary line item.

13 "Motion 14" - Approved 92 / 16

14 Resolution to pay \$850 for Emcee and Sound Equipment rental

15 services for powwow.

16 "Motion 15" - Approved 99 / 11

17 Resolution to enforce No Smoking policy and fine on all

18 Tribal businesses and properties.

19 "Motion 16" - Approved 105 / 5

20 Resolution to issue 1099's each fiscal year to contractors

21 providing rehabilitation services.

22 "Motion 17" - Approved 107 / 14

23 Resolution to negotiate land search and purchase in

24 District 4.

25 "Motion 18" - Approved 109 / 21

1           Resolution to provide an additional \$7,500 funds for  
2 rehabilitation services to case number 0035425.

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