



LUMBEE TRIBAL COUNCIL BUSINESS MEETING

Thursday, May 18, 2017 / 6:30pm

Tribal Housing Complex

Pembroke, NC 28372

AGENDA

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance
- IV. Preamble to the Tribal Constitution
- V. Roll Call
- VI. Review and Approval of Agenda
- VII. Review and Approval of April Tribal Council Minutes & Actions
- VIII. Community Comments
- IX. **Committee Reports**

Education, Cultural – Frank Cooper

- Scholarship

Ethics – Ricky Burnett

- **TCRR-2011-1215-01** "Standing Rules of Order and Regulations Governing the Duties of the Tribal Council Officers and Decorum of Council Meetings" *AMMENDED*

Health and Human Services – Jan Lowery

- **CLLR-2017-0518-01** Support of "Tribal Diagnostics Company to Provide Laboratory Services To Local Health Providers Within the Lumbee Tribal Territories"
- **CLLR-2017-0518-02** "American Indian Colorectal Screening Project"

Housing – Barbara Lowery

- **CLLR-2017-0518-03** "INSPECTIONS OF HOMEOWNERSHIP PROGRAM HOMES BUILT USING MONIES FROM THE LUMBEE TRIBE OF NORTH CAROLINA"
- **CLLR-2017-0518-04** "INSPECTION OF THE TRANSITIONAL HOMES OWNED BY THE LUMBEE TRIBE OF NORTH CAROLINA"

Constitution and Ordinance – Reginald Oxendine

- **CLLR- 2017-0518-05** "NC COMMISSION OF INDIAN AFFAIRS REAPPOINTMENT"
- **CLLR-2017-0518-06** "NC INDIAN HOUSING AUTHORITY REAPPOINTMENT"

Finance – Anita Blanks

- **CLLR-2017-0518-07**
- **CLLR-2017-0518-08** "Judicial Travel"
- **CLLO-2016-1006-01** "FISCAL YEAR OCTOBER 1, 2016-SEPTEMBER 30, 2017 LUMBEE TRIBAL BUDGET ORDINANCE" Amendment #4

- X. Tribal Administrator Report – Freda Porter
- XI. Calendar Review
- XII. Benediction

PREAMBLE TO THE TRIBAL CONSTITUTION

In accordance with the inherent power of self-governance of the Lumbee Tribe of North Carolina, the Tribe adopts this Constitution for the purposes of establishing a tribal government structure, preserving for all time the Lumbee way of life and community, promoting the educational, cultural, social and economic well-being of Lumbee people, and securing justice and freedom for the Lumbee people.

LUMBEE TRIBAL COUNCIL BUSINESS MEETING MINUTES

For Thursday, April 25, 2017 / 6:30pm

Meeting Called To Order: Speaker Bobby Oxendine

Invocation: Corbin Eddings

Pledge of Allegiance: Larry Chavis

Preamble: Bill Brewington

Roll Call: Jan Lowery - Secretary

Speaker Bobby Oxendine welcomed Earl Evans, Dawn Coley (Tribal Diagnostics), Sheila Beck (Lumbee Tribe Board of Elections), Mr. Spencer Locklear (LREMC), Tribal Chairman Harvey Godwin, Jr.

Council Members Present at Roll Call: 16

Terry Hunt

Lesandri Hunt

Alton Locklear

Bobby Oxendine

Jarrold Lowery

Larry Chavis

Douglas Locklear

Reginald Oxendine

Jan Lowery

Bill Brewington

Corbin Eddings

Anita Hammonds Blanks

Janet Locklear

Annie Taylor

Ricky Burnett

Barbara Lowery

LaKishia Sweat, Frank Cooper, Janie McFarland and Jonathan Locklear were excused from the meeting by voice vote. No one objected.

Reginald Oxendine asked to add under the Constitution and Ordinance "Appointments"

There were no objections

Corbin Eddings made a motion to approve the agenda with the addition of the "Appointments" to the agenda.

Larry Chavis 2nd the motion

VOICE VOTE

ALL IN FAVOR

CARRIED

Larry Chavis made a motion to accept the March minutes and actions

Barbara Lowery 2nd the motion

VOICE VOTE

ALL IN FAVOR

CARRIED

Presentations

Jan Lowery gave a brief update on the "The American Indian Colorectal Project" and gave information on a film that is currently being made.

Dr. Leah Frerich UNC School of Public Health was not able to attend for the presentation

Supreme Court Judge Ms. Francine Chavis administrated the Election Board Oath to Mr. Maryland Spaulding and Ms. Telethia Goins Clark, *(their term will expire April 25, 2022). Pictures were taken.*

Community Comments

Ms. Cletus L. Jones – District 12 Repairs on home.

Mr. John Oxendine – Powwow passes and tee shirts. Update on Powwow and backup plan in case it rains.

Mr. Robie Goins – District 4, Atlantic Coast Pipeline comments. Three recommendations: Hold a series of Public Hearings two in Robeson County and one in Scotland County with the Lumbee landowners, other concerned members of the Lumbee Tribe, and the general public.

File a request with the NC Utility Commission, the NC Department of Environmental Quality, and the NC Attorney General to order an Environmental Impact Study on the proposed Piedmont Gas pipeline.

Request that the NC Commission on Indian Affairs host a statewide public hearing on the proposed ACP and the proposed PGP in Pembroke and invite all of the tribes in NC and the Urban Indian Centers to participate.

Committee Reports

Economic Development – Alton Locklear

CLLO-2017-0420-01 "Lumbee Tribe Holdings, INC Reorganization"

Alton Locklear made a motion to go into Closed Session to clarify questions asked by Bill Brewington on CLLO -2017-0420-01 "Lumbee Tribe Holdings, INC Reorganization".

Bill Brewington 2nd the motion

By a show of hands all fifteen members agreed

CARRIED

Corbin Eddings made a motion to come out of closed session

Bill Brewington 2nd the motion

VOICE VOTE

ALL IN FAVOR

Mr. Terry Hunt wanted the record to show that he was not a part of the closed session because he is a part of LTE.

Ms. Anita Blanks directed a question to Mr. Terry Hunt "were you recusing yourself"? Mr. Terry's reply to Ms. Anita was "No ya'll asked me to leave, which I didn't have a problem with I just want the record to show what transpired".

CLLO-2017-0420-01 "Lumbee Tribe Holdings, INC Reorganization"

Correction on item to read **CLLO-2017-0420-01** instead of **CLL-2017-04-20-01**

ROLL CALL VOTE

8YES-5NO-2ABS

CARRIED

Item came out of committee

Constitution and Ordinance – Reginald Oxendine

CLLR- 2017-0420-01 “Chairman James “Jimmy” Earnest Goins Memorial”

ROLL CALL VOTE

15YES-0NO-0ABS

CARRIED

Item came out of committee

Appointments

Reginald Oxendine welcomed Mr. Maryland Spaulding and Ms. Telethia Goins Clark to the Lumbee Tribe Elections Board and announced that there were seats still available if anyone is interested in serving.

North Carolina Indian Housing Board and the Indian Commission Board seats are pending same folks are asking to come back on those boards, Mr. Reginald asked that the rules be suspended in order to move forward with the reappointments.

Larry Chavis made a motion to suspend the rules

Anita Blanks 2nd the motion

VOICE VOTE

ALL IN FAVOR

CARRIED

Furnie Lambert the Chair of the North Carolina Commission of Indian Affairs

Larece Hunt NC Commission of Indian Affairs

Gerald Locklear Housing Commission

Jarrod Lowery stated that he felt that these items should go through the process, through the committee, Bill Brewington made a substitute motion for these items to go back to the Constitution and Ordinance Committee

Anita Blanks 2nd the motion

ROLL CALL VOTE

10YES-5NO-0ABS

CARRIED

Health and Human Services – Jan Lowery

CLLR-2017-0420-02 “Offer Support to Tribal Diagnostics”

Providing support to another American Indian Company who wishes to come in our tribal territory and provide services, diagnostic laboratory services to the health care providers in our community. This will be support and as or if it grows then we can come back to the table for a Memorandum of Agreement or Understanding which could lead of some funds coming back to the tribe.

Voting on supporting the company, supporting someone else in our territory.

Bill Brewington ask if they would be voting on just support or a written Resolution and bring it back for approval.

Jan asked for Support and then she will do a Resolution at the next Health and Human Services

Committee Meeting.

Jarrod Lowery expressed his concerns about endorsing this company without seeing something in writing. Jan Lowery stated that the company has provided a MOA and will share it at the next Health and Human Service Committee Meeting

Anita Blanks asked for clarity, this company will be going to doctors' offices, hospitals and offering then an alternative to Lab Core or whomever else they use, the Lumbee Tribe is just giving their blessings. The tribe will not be going out and telling people to tell facilities that they just want to use "Tribal Diagnostic's" Dr. Cheryl Ransom asked the question; where in the Preamble and the Constitution do the Lumbee people give the Council the rights to their health care services.

Alton Locklear referred to the ordinance 2006-00 that was passed in 2006 and also stated that we were trying to work with the BIA to get some health services into the Lumbee territory and we have authorization to do that, if not they wouldn't be there working with the BIA. He also stated that they aren't endorsing anyone they are just saying there is a company out there that wants to partner with providers and we have "Indian Preference" that we need to start following and tonight would be a good start.

ROLL CALL VOTE

12YES-3NO-0ABS

CARRIED

Item came out of committee

Bill Brewington asked that Ms. Jan still follow up with the Council on this item.

Finance – Anita Blanks

CLLO-2016-1006-01 "FISCAL YEAR OCTOBER 1, 2016-SEPTEMBER 30, 2017 LUMBEE TRIBAL BUDGET ORDINANCE" Amendment #3

Line 4118 additional income \$22,242.80 sale of property that the tribe owned

Section 12 Line 7000 Professional Development Travel 3,000.00

Section 3 Line 8030 Construct/Purchase of Homes 19,242.80 balance of funds

Section 5 Line 5036 (15,000.00), 5037 (15,000.00) positions that have not been filled

5133 - 4,800.00 P/T Youth Coordinator

5134 - 4,800.00 P/T Youth Coordinator

5135 – 4,800.00 P/T Youth Coordinator

5130 – 5,200.00 P/T Youth Coordinator Mentor - 5

5131 – 5,200.00 P/T Youth Coordinator Mentor – 6

5132 – 5,200.00 P/T Youth Coordinator Mentor – 7

Section 34 New Grant Scared Hoop of Native Health & Wellbeing - Revenue 16,000.00

Lesaundri Hunt asked the question why the information wasn't included in the packet according to the rules

Anita Blanks stated that the information wasn't included in the packet due to email issues

Bill Brewington made a motion for CLLO-2016-1006-01 "FISCAL YEAR OCTOBER 1, 2016-SEPTEMBER 30, 2017 LUMBEE TRIBAL BUDGET ORDINANCE" Amendment #3 go back to committee.

Anita Blanks 2nd the motion

ROLL CALL VOTE

10YES-5NO-0ABS

CARRIED

CLLR-2017-0420-03 "Title VI Loan Guarantee"

Item was sent back to committee due to it not being in the packet.

Housing – Barbara Lowery

CLLR-2017-0420-04 "RESOLUTION TO INSPECTIONS AND WARRANTIES FOR NEW HOMES BUILD USING MONIES FROM THE LUMBEE TRIBE OF NORTH CAROLINA"

Barbara asked that this item go back to committee

CLLO-2017-0420-02 "ORDINANCE TO COLLECT ACCURANT WAITING LIST FOR ALL HOUSING PROGRAMS MONTHLY"

Ricky Burnette asked that Accurant be changed to Accurate, Therefore, be in enacted change to Therefore, be it enacted.

Jarrold Lowery asked that applicate be changed to applicant.

Speaker Bobby Oxendine asked for roll call on the item with corrections.

Larry Chavis made a motion to send item back to committee for further review

Larry Chavis withdrew his motion

Alton Locklear called for question

Terry Hunt made a motion to send item back to committee

Barbara Lowery and Speaker Bobby Oxendine allowed Terry Hunt to make a motion after call for question.

Corbin Eddings 2nd the motion

ROLL CALL VOTE

3YES-12NO-1ABS

FAILED

Alton Locklear called for question on the original motion with corrections "ORDINANCE TO COLLECT ACCURATE WAITING LIST FOR ALL HOUSING PROGRAMS MONTHLY"

ROLL CALL VOTE

10YES-4NO-1ABS

CARRIED

Tribal Administrator Report

Dr. Porter was not in attendance but handouts were passed out.

Jarrold Lowery asked how much money did FEMA give for the debris removal and the dam repair

Anthony Holden reported the overall was \$84,000.00

Alton Locklear asked if any paperwork was received from FEMA on the damage to the dam and the cost for repair.

Bill Brewington inquired about a damage report, a report from FEMA that says the dam is damaged.

Chairman Harvey Godwin, Jr. spoke on the Department of Interior and FEMA assets the dam (the whole lake) and its surrounding environment. FEMA has cultural and environmental recovery monies potentially one million dollars to revamp what the hurricane destroyed. The embankment and earth have been blocked off due to water seeping underneath where there are ruptures in the concrete all the way around the basement. They are offering to work on the dam, lake, the property across from the lake where people fish, all the drainage comes off the property comes by the lake through ditches into that area back to the river. The debris removal didn't actually go into that area but the dam money clear up that whole area, free up the whole property every ditch on there including the lake, they are calling that --- -----. Forty some thousand to hire an engineer firm they came from the state of North Carolina they released themselves from this because its prior property owned by the Cultural Center. it's not public domain. They put it back to the Department of Interior and FEMA for us to manage and outsource. An engineer firm will come in and let us know how much it will take to fix the encompassing area. It will be up to the Lumbee

Tribal government and the administration to oversee these projects which will take twelve to eighteen months.

Calendar Review

Ethics Committee Meeting – May 4th 6:30

Constitution and Ordinance Committee meeting – May 4th 7:30pm.

Federal Recognition – May 9th 6:30pm.

LNTP – May 9th 7:30pm

Education Committee meeting – March 27th 8:30pm.

Finance Committee meeting – May 2nd 6:30pm.

Housing Committee meeting – May 2nd 7:30pm.

Health Committee meeting – May 2nd 8:30pm.

Economic Development – May 2nd 6:00pm.

Workshop – April 29th 9:00am.

Powwow – May 5-7

Anita Blanks requested for the Speaker to get reports from the administration, none of the reporting requirements have been met.

Ricky Burnett thanked everyone for the text call and visits that his family and received during the time of his mother's death.

Benediction – Reginald Oxendine

Adjournment – Speaker Bobby Oxendine