

# LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2013-0321-02

DATE: March 21, 2013

## **"FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE"**

**WHEREAS**, The Lumbee Tribe of North Carolina, a recognized Indian Tribe of the State of North Carolina subject to the Constitution of the Lumbee Tribe of North Carolina and its inherent powers of self-government; and

**WHEREAS**, Article VII, Section 1 of the Constitution of the Lumbee Tribe of North Carolina delegates all legislative authority to the Tribal Council; and

**WHEREAS**, The Council has the authority to approve, adopt, and amend the annual fiscal year budget and budget process; and

**WHEREAS**, The Council is responsible for overseeing, reviewing, and approving actual expenditures and budget variances throughout the fiscal year, and

**WHEREAS**, The Council has the authority and fiduciary responsibility to ensure compliance with all program funding and allocations; and

**THEREFORE**, Be it enacted in accordance with the powers delegated to it, the Tribal Council of the Lumbee Tribe of North Carolina hereby adopts the attached "**Fiscal Year 2012-2013 LIHEAP Budget Ordinance**".

**THEREFORE BE IT FURTHER ENACTED** that all proposals for tribal funding shall be timely submitted to the tribal council and, if approved, adopted by tribal council resolution.

**THEREFORE BE IT EVEN FURTHER ENACTED**, that Section 1 of this budget ordinance shall be implemented and in compliance by the Executive Branch administration and department management and be subject to the following provisions:

### **SECTION 1: LIMITATIONS AND AMENDMENT PROCESS**

1. All changes/amendments shall be timely submitted by the Executive Branch for review and approval by the tribal council.
2. All salaries shall remain in compliance with the Federal Regulations, Goals, and Objectives of the Tribal Program Grants in the Fiscal Year 2012-2013 LIHEAP Budget Ordinance.
3. On a Quarterly basis, the Grant Managers shall present a report to the Tribal Council of the Lumbee Tribe of North Carolina at the Finance Committee Meeting, and this report shall include:
  - a) Update on Program Activities and Goals

## **SECTION 2: SEVERABILITY**

If any section, subsection, paragraph, sentence, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision and such shall not affect the validity of the remaining portion thereof.

# ROLL CALL VOTE RESULTS TO ADOPT

## CLLO-2013-0321-02 “FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE”

17 FOR, 2 AGAINST, 0 ABSTENTION(S)

|              |                         |                    |
|--------------|-------------------------|--------------------|
| District 1:  | Evan Davenport          | YES                |
| District 2:  | Terry Hunt              | NO                 |
|              | Larmari Louise Mitchell | YES                |
| District 3:  | Pearlean Revels         | YES                |
|              | Lesaudri Hunt           | YES                |
| District 4:  | Jonathan Locklear       | YES                |
| District 5:  | Bobby Oxendine          | YES                |
|              | Charles Bullard         | YES                |
| District 6:  | Larry Anthony Chavis    | YES                |
|              | McDuffie Cummings       | YES                |
| District 7:  | Robert Chavis           | YES                |
|              | Larry Campbell          | NO                 |
|              | Terry Campbell          | YES                |
| District 8:  | Steve Sampson           | EXCUSED            |
| District 9:  | Anita Hammonds Blanks   | YES                |
| District 10: | Terry Collins           | YES                |
| District 11: | Linda Revels            | YES                |
| District 12: | Danita Locklear         | YES-TELECONFERENCE |
|              | Walter Lowery           | YES                |
| District 13: | William Maiden          | EXCUSED            |
| District 14: | Homer Fields            | YES                |

## CERTIFICATION

THIS CLLO-2013-0321-02 "FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE", ADOPTED AT A MEETING OF THE 21-MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 19 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 21ST DAY OF MARCH, 2013 BY A VOTE OF 17 FOR, 2 AGAINST, 0 ABSTENTION(S)

  
ATTEST: PEARLEAN REVELS  
Speaker, Tribal Council of the Lumbee Tribe of North Carolina  
Date April 16, 2013

  
ATTEST: LARMARI LOUISE MITCHELL  
Secretary, Tribal Council of the Lumbee Tribe of North Carolina  
Date April 16, 2013

\_\_\_\_\_  
PAUL BROOKS  
Chairman, Lumbee Tribe of North Carolina  
Date

## POSTING

This CLLO-2013-0321-02 "FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE", duly posted on this the \_\_\_\_ day of April, 2013.

  
ATTEST TO THE SIGNATURE OF THE TRIBAL COUNCIL SPEAKER AND TRIBAL COUNCIL SECRETARY  
Cynthia L. Hunt, Tribal Clerk, Lumbee Tribe of North Carolina  
Date

Lumbee Tribe of North Carolina  
Budget Comparison - Revenue/Expenses  
For the Month of December 2012

| 25 - LIHEAP Revenues |                                       |                     |
|----------------------|---------------------------------------|---------------------|
| Account Code         | Account Title                         | Budgeted            |
| 4000                 | Grant Revenue (Based on GY13)         | 1,467,463.00        |
| 4000                 | Grant Revenue (Based on GY11)         | 1,041.00            |
| 4000                 | Carryover FY12                        | 147,629.10          |
|                      | <b>TOTAL LIHEAP REVENUE</b>           | <b>1,616,133.10</b> |
|                      |                                       |                     |
| 25 - LIHEAP Expenses |                                       |                     |
| 5000                 | Salaries                              | 203,424.00          |
| 5100                 | Payroll - Fringe                      | 93,166.12           |
| 5101                 | Longevity                             | 2,100.00            |
| 6000                 | Administrative Services               | 70,000.00           |
| 6050                 | Direct Energy Payments LIHEAP         | 633,126.30          |
| 6051                 | CIP Assistance LIHEAP                 | 129,514.68          |
| 6052                 | Weatherization                        | 220,119.00          |
| 6053                 | CIP Equipment                         | 12,960.00           |
| 6054                 | 2% Home Energy Need Assistance        | 29,349.00           |
| 6055                 | 1% Leverage                           | 14,674.00           |
| 6200                 | Insurance (liability, auto, property) | 1,000.00            |
| 6300                 | Legal (Retainer/Fee)                  | 3,000.00            |
| 6310                 | Audit                                 | 3,000.00            |
| 6600                 | Supplies/Meetings                     | 10,000.00           |
| 6603                 | Food Purchases                        | 800.00              |
| 6610                 | Information Technology                | 3,000.00            |
| 6620                 | Office Furniture                      | 1,000.00            |
| 6630                 | Communications-post,inter,tele        | 3,900.00            |
| 6635                 | Utilities                             | 3,000.00            |
| 6641                 | Office Lease                          | 1,000.00            |
| 6800                 | Copier Equipment                      | 800.00              |
| 6810                 | Bldg Maintenance/Gas                  | 4,500.00            |
| 6820                 | Security Systems                      | 100.00              |
| 6830                 | Custodian                             | 2,500.00            |
| 6900                 | Printing                              | 5,000.00            |
| 7000                 | Travel/Professional Development       | 28,000.00           |
| 7750                 | Contractual Services                  | 51,000.00           |
| 8410                 | Miscellaneous                         | 1,100.00            |
|                      | Carryover FY2013                      | 85,000.00           |
|                      | <b>Total 25 - LIHEAP</b>              | <b>1,616,133.10</b> |
|                      |                                       | 0.00                |



ATTEST: PEARLEAN REVELS

Speaker, Tribal Council of the Lumbee Tribe of North Carolina



Date



ATTEST: LARMARI LOUISE MITCHELL

Secretary, Tribal Council of the Lumbee Tribe of North Carolina



Date

## CERTIFICATION OF VETO OVERRIDE

THIS VETO OVERRIDE OF “**FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE**” TRIBAL ORDINANCE CLLO-2013-0321-02 WAS CERTIFIED AT A MEETING OF THE 21 SEATED MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 20 MEMBERS WERE PRESENT , CONSTITUTING A QUORUM, THIS 16TH DAY OF MAY, 2013 BY A VOTE OF 13 FOR, 7 AGAINST, 0 ABSTENTION(S).

**ROLL CALL VOTE RESULTS TO ADOPT  
TRIBAL ORDINANCE CLLO-2013-0321-02,  
“FISCAL YEAR 2012-2013 LIHEAP BUDGET ORDINANCE”  
13 FOR, 7 AGAINST, 0 ABSTENTION(S)**

|              |                         |         |
|--------------|-------------------------|---------|
| District 1:  | Evan Davenport          | NO      |
| District 2:  | Terry Hunt              | NO      |
|              | Larmari Louise Mitchell | YES     |
| District 3:  | Pearlean Revels         | YES     |
|              | Lesaundri Hunt          | NO      |
| District 4:  | Jonathan Locklear       | EXCUSED |
| District 5:  | Bobby Oxendine          | YES     |
|              | Charles Bullard         | YES     |
| District 6:  | Larry Anthony Chavis    | YES     |
|              | McDuffie Cummings       | YES     |
| District 7:  | Robert Chavis           | YES     |
|              | Larry Campbell          | NO      |
|              | Terry Campbell          | NO      |
| District 8:  | Steve Sampson           | YES     |
| District 9:  | Anita Hammonds Blanks   | YES     |
| District 10: | Terry Collins           | YES     |
| District 11: | Linda Revels            | NO      |
| District 12: | Danita Locklear         | YES     |
|              | Walter Lowery           | YES     |
| District 13: | William Maiden          | NO      |
| District 14: | Homer Fields            | YES     |