

LUMBEE TRIBE OF NORTH CAROLINA

CLL0-2013-0919-06

DATE: SEPTEMBER 19, 2013

"LOCATION OF THE ELDERS ADVISORY COMMITTEE ORDINANCE"

WHEREAS, The Lumbee Tribe of North Carolina, ("Lumbee Tribe") is a recognized American Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina ("Tribal Constitution") and its inherent powers of self-governance; and

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

WHEREAS, The Tribal Council by tribal law shall approve all appointments and appointees to organizations, Boards, and entities constitutionally mandated and tribal government affiliated positions not constitutionally mandated; and

WHEREAS, The Tribal Council established an Elders Advisory Committee consisting of 70 members appointed by the Council members of five (5) elders from each of the 14 Districts in Lumbee territory and the EAC members term will be the same as their Tribal Council Representative and may be reappointed; and

WHEREAS, The Lumbee Tribe of North Carolina is the recipient of the Native American Housing and Self-Determination Act of 1996 (NAHASDA) funding approved by resolution of the Tribal Council; and

WHEREAS, The purpose of the Elders Advisory Committee ("EAC") is to assist the Tribal Council and Housing Department in advice to help meet the needs and problems of the elderly under the housing, health, and welfare services and allow tribal members participation in the programs, services, and culture activities of the Tribe; and

WHEREAS, The EAC has an approved Policy and Procedures that follow Tribal law and decorum to conduct their meetings when established in 2004; and

WHEREAS, The EAC has monthly meetings and voted as a body to meet at the location of Soaring Eagle Community Center in Lumberton, North Carolina, as the central location, and voted again with a majority rule on April 24, 2013. The official minutes were approved on May 29, 2013 to continue meeting at Soaring Eagle Community Center and adopting Robert Rules of Order; and

WHEREAS, The approved location was not followed and has caused issues among the EAC members to split in the location of meetings; and

WHEREAS, The Tribal Council held a meeting with the EAC to resolve the issue, but to this date the issues are not resolved; and

WHEREAS, This issue has caused extreme concern for the EAC, Tribal Council, Administration, Courts and the Membership for the need of unity in the Lumbee Tribe of North Carolina; and

THEREFORE, Be enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as "**LOCATION OF ELDERS ADVISORY COMMITTEE ORDINANCE**"; and

THEREFORE, Be it further enacted by the Tribal Council that the EAC will continue to meet at the location voted on April 24, 2013 by a majority of the EAC until the motion is rescinded by Robert Rules of Order for change in a meeting location of the EAC; and

THEREFORE, Be it even further enacted that the Administration will continue to assist the EAC with staff support that is applicable to HUD regulations and statutes.

SAVING CLAUSE. In the event that any phase, provision, part, paragraph, subsection, or section of this ordinance is found by court of competent jurisdiction to violate the Constitution, laws, or ordinances of the Lumbee Tribe of North Carolina, such phase, provision, part paragraph, subsection or section shall be considered to stand alone and to be deleted from this ordinance, the entirety of the balance of the ordinance to remain in full and binding force and effect.

CERTIFICATION

THIS "**LOCATION OF THE ELDERS ADVISORY COMMITTEE ORDINANCE**". CLL0-2013-0919-06, ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 20 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 19TH DAY OF SEPTEMBER, 2013 BY A VOTE OF 19 YES, 0 NO, AND 0 ABSTENTION(S).

Pearlean Revels September 23, 2013
ATTEST: PEARLEAN REVELS

Speaker, Tribal Council of the Lumbee Tribe of North Carolina

Larmari Louise Mitchell Sept. 23, 2013

ATTEST: LARMARI LOUISE MITCHELL

Secretary, Tribal Council of the Lumbee Tribe of North Carolina

PAUL BROOKS

Chairman, Lumbee Tribe of North Carolina

Date

POSTING

This CLL0-2013-0919-06 "**LOCATION OF THE ELDERS ADVISORY COMMITTEE ORDINANCE**", duly posted on this the 1 day of ~~September~~ October, 2013.

Cynthia L. Hunt October 01, 2013

ATTEST: CYNTHIA HUNT

Tribal Clerk, Lumbee Tribe of North Carolina

Date

ROLL CALL VOTE RESULTS TO ADOPT

CLL0-2013-0919-06 "LOCATION OF THE ELDERS ADVISORY COMMITTEE

ORDINANCE"

19 YES, 0 NO, 0 ABSTENSION(S)

District 1:	Evan Davenport	YES
District 2:	Terry Hunt	YES
	Larmari Louise Mitchell	YES
District 3:	Pearlean Revels	YES
	Lesaundri Hunt	YES
District 4:	Jonathan Locklear	YES
District 5:	Bobby Oxendine	YES
	Charles Bullard	ABSENT FOR VOTE
District 6:	Larry Anthony Chavis	YES
	McDuffie Cummings	YES
District 7:	Robert Chavis	YES
	Larry Campbell	YES
	Terry Campbell	YES
District 8:	Steve Sampson	ABSENT
District 9:	Anita Hammonds Blanks	YES
District 10:	Terry Collins	YES
District 11:	Linda Revels	YES
District 12:	Danita Locklear	YES
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES


ATTEST: MCDUFFIE CUMMINGS
Treasurer, Tribal Council of the Lumbee Tribe of North Carolina
Date: 1-7-14


ATTEST: LARMARI LOUISE MITCHELL
Secretary, Tribal Council of the Lumbee Tribe of North Carolina
Date: 1-7-14

CERTIFICATION OF VETO OVERRIDE

THIS VETO OVERRIDE OF “LOCATION OF THE ELDERS ADVIORY COMMITTEE ORDINANCE” 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 21TH DAY OF NOVEMBER, 2013 BY A VOTE OF 20 FOR, 0 AGAINST, ABSTENTION(S).

ROLL CALL VOTE RESULTS TO ADOPT “LOCATION OF THE ELDERS ADVIORY COMMITTEE ORDINANCE” 20 FOR, 0 AGAINST, ABSTENTION(S)

District 1:	Evan Davenport	YES
District 2:	Terry Hunt	YES
	Larmari Louise Mitchell	YES
District 3:	Pearlean Revels	YES
	Lesaundri Hunt	YES
District 4:	Jonathan Locklear	ABSENT FOR VOTE
District 5:	Bobby Oxendine	YES
	Charles Bullard	YES
District 6:	Larry Anthony Chavis	YES
	McDuffie Cummings	YES
District 7:	Robert Chavis	YES
	Larry Campbell	YES
	Terry Campbell	YES
District 8:	Steve Sampson	YES
District 9:	Anita Hammonds Blanks	YES
District 10:	Terry Collins	YES
District 11:	Linda Revels	YES
District 12:	Danita Locklear	YES
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES