

LUMBEE TRIBE OF NORTH CAROLINA

CLL0-2013-0919-02

DATE: SEPTEMBER 19, 2013

Suspension of Resolution # 2006-0003
"Timeline for Indian Housing Plan" (Dated 3-23-06)

"TIMELINE FOR INDIAN HOUSING PLAN/ANNUAL PERFORMANCE REPORT 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 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 Lumbee Tribal Council has established the Lumbee Housing Office and Housing Programs and decides how IHBG funds will be used to meet the unique needs of the Lumbee Tribe of a proposed budget by the Tribal Chairman of the Executive Branch; and

WHEREAS, The Lumbee Tribal Council as the governing body of the Lumbee Tribe is required to approve and submit to HUD an Indian Housing Plan/ Annual Performance Report (IHP/APR) which meets the requirements of the NAHASDA Act and is mandated by the Lumbee Constitution to enact annual budgets into tribal law.

THEREFORE, Be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as "**TIMELINE FOR INDIAN HOUSING PLAN/ANNUAL PERFORMANCE REPORT ORDINANCE**".

SECTION 1 PURPOSE

To establish a process for the review and approval of Indian Housing Plans and Annual Performance Reports that results in affordable housing opportunities for Lumbee people.

SECTION 2 THE INDIAN HOUSING PLAN

1. Upon notification of the availability of funds (Indian Housing), the Executive Branch shall prepare a proposed Indian Housing Plan (IHP) for review and approval of the Lumbee Tribal Council. The plan shall be submitted to the Standing Lumbee Housing Committee no later than 30 days from the date of notification.

2. The Standing Housing Committee shall have 30 days to review, change or amend, and approve the proposed Indian Housing Plan. Upon approval, the Indian Housing Plan shall be forwarded to the Full Tribal Council for final review.

3. Upon approval of the IHP by Tribal Council the Tribal Chairman shall be certified authorizing signatures. In the event he/she is unable to sign or refuses to sign, the Vice-Chairman shall sign the IHP/APR.

4. Nothing in this section shall preclude an extension of time by the executive branch, the Standing Housing Committee, or Full Council upon reasonable notice to all parties and for good cause.

SECTION 3 ANNUAL PERFORMANCE REPORT

1. The Executive Branch shall provide a report to the Tribal Council of HUD approval of the IHP of its entirety or any part not approved.

2. The Annual Performance Report shall be presented to the Tribal Council for approval before submitting to the HUD Office.

3. Any and all HUD findings and noncompliance shall be promptly and fully reported to Tribal Council with a proposed written plan for corrective action to be authorized by the Tribal Council, pursuant to Section 202 NAHASDA Regulations and Statutes.

SECTION 4 SAVING CLAUSE

1. 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 "TIMELINE FOR INDIAN HOUSING PLAN/ANNUAL PERFORMANCE REPORT ORDINANCE". CLL0-2013-0919-02, 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 17 YES, 2 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

VEIO

ROLL CALL VOTE RESULTS TO ADOPT

CLL0-2013-0919-02 "TIMELINE FOR INDIAN HOUSING PLAN/ANNUAL

PERFORMANCE REPORT ORDINANCE"

17 YES, 2 NO, 0 ABSTENTION(S)

District 1:	Evan Davenport	NO
District 2:	Terry Hunt	NO
	Larnari 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

CERTIFICATION OF VETO OVERRIDE

THIS VETO OVERRIDE OF “TIMELINE FOR INDIAN HOUSING PLAN/ ANNUAL PERFORMANCE REPORT 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 “TIMELINE FOR INDIAN HOUSING PLAN/ ANNUAL PERFORMANCE REPORT 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


ATTEST: MCDUFFIE CUMMINGS
Treasurer, Tribal Council of the Lumbee Tribe of North Carolina

1-27-14
Date


ATTEST: LARMARI LOUISE MITCHELL
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

Date

POSTING

This CLLO-2013-0919-02 "TIMELINE FOR INDIAN HOUSING PLAN/ANNUAL PERFORMANCE
REPORT ORDINANCE", duly posted on this the 1 day of ~~September~~ October, 2013.

Cynthia L. Hunt October 01, 2013

ATTEST: CYNTHIA HUNT

Date

Tribal Clerk, Lumbee Tribe of North Carolina