

LUMBEE TRIBE OF NORTH CAROLINA

6984 NC HIGHWAY 711 WEST
PEMBROKE, NORTH CAROLINA 28372

DECEMBER 2015 TRIBAL COUNCIL BUSINESS MEETING

CHAIRMAN PAUL BROOKS

TRIBAL COUNCIL REPRESENTATIVES

EVAN DAVENPORT

TERRY HUNT

JANIE OXENDINE MCFARLAND

LESAUNDRI HUNT

JONATHAN LOCKLEAR

BOBBY OXENDINE

JARROD LOWERY

DOUGLAS LOCKLEAR

LARRY TOWNSEND

ROBERT CHAVIS

JAN LOWERY

BILL BREWINGTON

DANIEL JONES

ANITA HAMMONDS BLANKS

TERRY COLLINS

FRANK COOPER

AREATHA PATTERSON

SHELLEY STRICKLAND

WILLIAM MAIDEN

HOMER FIELDS

APPEARANCES

TRIBAL COUNCIL MEMBERS

EVAN DAVENPORT
TERRY HUNT
JANIE OXENDINE MCFARLAND
LESAUNDRI HUNT
JONATHAN LOCKLEAR
JARROD LOWERY
LARRY TOWNSEND
DOUGLAS LOCKLEAR
JAN LOWERY
BILL BREWINGTON
DANIEL JONES
ANITA HAMMONDS BLANKS
TERRY COLLINS
FRANK COOPER
AREATHA PATTERSON
SHELLEY STRICKLAND
WILLIAM MAIDEN
HOMER FIELDS
ALTON LOCKLEAR
BOBBY OXENDINE

ALSO PRESENT

Sheila Beck
Billy Hunt

1 (The preamble to the tribal constitution
2 was read.)

3 MR. LESAUNDRI HUNT: Thank you. Before we do
4 the roll call, we'd like to welcome our
5 chairman-elect, Mr. Godwin, and the council-elect.
6 And the council, you have on your table in front of
7 you inviting you to the swearing in ceremony and also
8 the dedication to the new building in the Prospect
9 area, so you have those invitations tonight, and we
10 may say a little more about that later on, but we are
11 glad to have all of you and our guests in the meeting
12 tonight. Ms. Sheila -- Ms. Sheila from the election
13 board. Thank you for being here tonight and all the
14 council members that are here tonight. Ms. Jan will
15 do our roll call, please.

16 MS. JAN LOWERY: Evan Davenport?

17 MR. EVAN DAVENPORT: Present.

18 MS. JAN LOWERY: Terry Hunt?

19 MR. TERRY HUNT: Here.

20 MS. JAN LOWERY: Janie Oxendine McFarland.

21 MS. JANIE MCFARLAND: Here.

22 MS. JAN LOWERY: Lesaundri Hunt?

23 MR. LESAUNDRI HUNT: Here.

24 MS. JAN LOWERY: Alton Locklear? Jonathan
25 Locklear?

1 MR. JONATHAN LOCKLEAR: Here.

2 MS. JAN LOWERY: Bobby Oxendine?

3 MR. BOBBY OXENDINE: Present.

4 MS. JAN LOWERY: Jarrod Lowery?

5 MR. JARROD LOWERY: Here.

6 MS. JAN LOWERY: Larry Townsend?

7 MR. LARRY TOWNSEND: Here.

8 MS. JAN LOWERY: Douglas Locklear? Robert
9 Chavis? Jan Lowery, here. Bill Brewington?

10 MR. BILL BREWINGTON: Present.

11 MS. JAN LOWERY: Daniel Jones?

12 MR. DANIEL JONES: Here.

13 MS. JAN LOWERY: Anita Hammonds Blanks?

14 MS. ANITA HAMMONDS BLANKS: Here.

15 MS. JAN LOWERY: Terry Collins?

16 MR. TERRY COLLINS: Here.

17 MS. JAN LOWERY: Frank Cooper?

18 MR. FRANK COOPER: Here.

19 MS. JAN LOWERY: Areatha Patterson?

20 MS. AREATHA PATTERSON: Here.

21 MS. JAN LOWERY: Shelley Strickland?

22 MR. SHELLEY STRICKLAND: Present.

23 MS. JAN LOWERY: William Maiden?

24 MR. WILLIAM MAIDEN: Here.

25 MS. JAN LOWERY: Homer Fields?

1 MR. HOMER FIELDS: Here.

2 MS. JAN LOWERY: Al Locklear?

3 MR. ALTON LOCKLEAR: Here.

4 MS. JAN LOWERY: We have a quorum.

5 MR. LESAUNDRI HUNT: Thank you, Ms. Jan. Next
6 on our agenda is the review and approval of the
7 agenda.

8 MR. LARRY TOWNSEND: So moved.

9 MR. JONATHAN LOCKLEAR: Second.

10 MR. LESAUNDRI HUNT: We have a motion and a
11 second. All in favor, say aye.

12 (The council voted.)

13 MR. LESAUNDRI HUNT: Any no? Thank you. Next
14 on the agenda is the review and approval of November
15 tribal council minutes and actions.

16 MR. WILLIAM MAIDEN: Mr. Speaker?

17 MR. LESAUNDRI HUNT: Yes?

18 MR. WILLIAM MAIDEN: I'd like to offer a motion
19 that we receive the review and approval of November
20 tribal council meeting.

21 MR. HOMER FIELDS: Second.

22 MR. LESAUNDRI HUNT: Okay. We have a second by
23 Mr. Homer. All in favor, say aye.

24 (The council voted.)

25 MR. LESAUNDRI HUNT: Any no? Thank you. Thank

1 you. Community comments tonight, we don't have any
2 at all listed. If no community comments, we move to
3 committee reports. First on our committee reports,
4 Ms. Janie McFarland.

5 MS. JANIE MCFARLAND: Our first ordinance is
6 Duke Energy Helping Home Fund Ordinance. The
7 amendment number is number 3, "Fiscal Year October 1,
8 2015-September 30, 2016 Lumbee Tribal Budget
9 Ordinance." This ordinance is in the amount of
10 \$138,926. It's for Cumberland and Robeson County,
11 and that --

12 Whereas, the following grant from "Duke Energy
13 Helping Home Fund" is to be used to address
14 Weatherization/Health and Safety needs, as well as
15 HVAC Repair and Replacement, and Appliance
16 Replacement.

17 Therefore, the budget is amended in the amount
18 of \$138,926 to be designated to provide assistance to
19 qualified Duke Energy customers in Robeson and
20 Cumberland counties, and.

21 Therefore, Be it enacted by the Tribal Council
22 of the Lumbee Tribe of North Carolina the following
23 ordinance shall be amended and cited as "Fiscal Year
24 October 1 2015-September 30, 2016, Lumbee Tribal
25 Budget Ordinance."

1 MR. LESAUNDRI HUNT: Okay. Ms. Janie, would you
2 like to explain why they're on the agenda?

3 MS. JANIE MCFARLAND: The -- we had an ordinance
4 in last -- in November, and part of it failed, and it
5 went back to committee, and the only change on this
6 ordinance is the amendment number.

7 MR. LESAUNDRI HUNT: Okay. Our tribal clerk met
8 with us after the meeting, and we were trying to
9 figure out since they were under one number and how
10 to make it go forward when one fails. Ms. Janie did
11 take that back to committee and revisited that, and
12 that's why it's under different numbers. Okay. Any
13 questions? Any comments? So, Ms. Janie, can we vote
14 on all three?

15 MS. JANIE MCFARLAND: I think we have to do one
16 at a time.

17 MR. LESAUNDRI HUNT: One at a time, okay. Two
18 of them did pass.

19 MS. JANIE MCFARLAND: Yes.

20 MR. LESAUNDRI HUNT: -- so council members, if
21 you would like to reaffirm those two, we'll take them
22 one at a time, each item. Ms. Janie will read those,
23 and we'll vote one at a time or revote for
24 clarification. Ms. Janie, number one?

25 MS. JANIE MCFARLAND: Okay. The next amendment

1 is amendment number 4.

2 Whereas, The "Project Access Budget Grant," a
3 partnership with the University of North Carolina at
4 Pembroke, Robeson Community College, and Public
5 Schools of Robeson County.

6 The amount of the grant is \$480,707.

7 Therefore, the budget is amended in the amount
8 of \$480,707 to be designated to increase exposure and
9 access to post-secondary educational opportunities in
10 Robeson -- excuse me -- Robeson County, K-12
11 students.

12 Therefore, Be it enacted by the Tribal Council
13 of the Lumbee Tribe of North Carolina the following
14 ordinance shall be amended and cited as "Fiscal Year
15 October 1, 2015-September 30, 2016 Lumbee Tribal
16 Budget Ordinance."

17 MR. LESAUNDRI HUNT: Okay. Do we have a motion
18 to reaffirm?

19 MR. HOMER FIELDS: I offer a motion.

20 MR. LESAUNDRI HUNT: We have a motion by Mr.
21 Homer.

22 MS. AREATHA PATTERSON: Second.

23 MR. LESAUNDRI HUNT: Second by Ms. Areatha. All
24 in favor, say aye.

25 (The council voted.)

1 MR. LESAUNDRI HUNT: Any no? Correction. We're
2 going to do a roll call vote.
3 MS. JAN LOWERY: Evan Davenport?
4 MR. EVAN DAVENPORT: Yes.
5 MS. JAN LOWERY: Terry Hunt?
6 MR. TERRY HUNT: Yes.
7 MS. JAN LOWERY: Janie Oxendine McFarland?
8 MS. JANIE MCFARLAND: Yes.
9 MS. JAN LOWERY: Lesaundri Hunt?
10 MR. LESAUNDRI HUNT: Yes.
11 MS. JAN LOWERY: Alton Locklear?
12 MR. ALTON LOCKLEAR: Yes.
13 MS. JAN LOWERY: Jonathan Locklear?
14 MR. JONATHAN LOCKLEAR: Yes.
15 MS. JAN LOWERY: Bobby Oxendine?
16 MR. BOBBY OXENDINE: Yes.
17 MS. JAN LOWERY: Jarrod Lowery?
18 MR. JARROD LOWERY: Yes.
19 MS. JAN LOWERY: Larry Townsend? Douglas
20 Locklear?
21 MR. DOUGLAS LOCKLEAR: Yes.
22 MS. JAN LOWERY: Robert Chavis? Jan Lowery,
23 yes. Bill Brewington?
24 MR. BILL BREWINGTON: Yes.
25 MS. JAN LOWERY: Daniel Jones?

1 MR. DANIEL JONES: Yes.

2 MS. JAN LOWERY: Anita Hammonds Blanks?

3 MS. ANITA HAMMONDS BLANKS: Yes.

4 MS. JAN LOWERY: Terry Collins?

5 MR. TERRY COLLINS: Yes.

6 MS. JAN LOWERY: Frank Cooper?

7 MR. FRANK COOPER: Yes.

8 MS. JAN LOWERY: Areatha Patterson?

9 MS. AREATHA PATTERSON: Yes.

10 MS. JAN LOWERY: Shelley Strickland?

11 MR. SHELLEY STRICKLAND: Yes.

12 MS. JAN LOWERY: William Maiden?

13 MR. WILLIAM MAIDEN: Yes.

14 MS. JAN LOWERY: Homer Fields?

15 MR. HOMER FIELDS: Yes.

16 MS. JAN LOWERY: Unanimous.

17 MR. LESAUNDRI HUNT: Thank you. The vote was

18 unanimous. Ms. Janie?

19 MS. JANIE MCFARLAND: Okay. The next amendment

20 is amendment number 5. Okay. This budget was on the

21 table, it went back to committee. It failed and went

22 back to committee, and it's back on the floor to be

23 voted on. It is the Veterans Services budget.

24 Whereas, The following grant is to be used for

25 "Veterans Services."

1 There's \$800 -- \$82,837.88 from line item 8030
2 Construction/Purchase of Homes.

3 Whereas, The NAHASDA budget is amended in the
4 amount of \$82,837.88 for Veteran Services,--

5 Therefore, Be it enacted by the Tribal Council
6 of the Lumbee Tribe of North Carolina the following
7 ordinance shall be amended and cited as "Fiscal Year
8 October 1, 2015-September 30, 2016 Lumbee Tribal
9 Budget Ordinance."

10 MR. LESAUNDRI HUNT: Okay. Any comments? Mr.
11 Maiden?

12 MR. WILLIAM MAIDEN: Mr. Speaker, is this the
13 one that we asked that this one person be removed
14 from this position before we voted on this?

15 MR. LESAUNDRI HUNT: Yes, it is.

16 MR. WILLIAM MAIDEN: Has this been done?

17 MR. LESAUNDRI HUNT: Yes, sir. From my
18 understanding, the 15th -- he had signed a
19 resignation, Mr. Maiden. And to my understanding,
20 those documents are in the hands of Bobbi Jo Oxendine
21 because she is qualified in -- to handle those
22 documents from the veteran's office. Any other
23 questions? Ms. Anita?

24 MS. ANITA HAMMONDS BLANKS: When we brought this
25 up at the last meeting for the veterans,-- the

1 question was, has something changed or changed its
2 mind concerning the funds that we have to pay back?
3 We were given a report back from HUD that night that
4 was presumed -- that was supposed to clear that up,
5 but when you read this document, it doesn't clear it
6 up for me. One of the things HUD cites is for
7 veterans housing. For veterans housing, it says
8 itemized budget provided exceeds total budget costs,
9 so I'm not quite sure what budget was presented to
10 HUD or why it exceeds it, but apparently they're
11 questioning expenditures for veterans -- and it says
12 activities must be related to affordable housing
13 activities because they've questioned so many of the
14 items that have been charged under that program. So
15 it doesn't appear to me that the veterans program has
16 been approved by HUD according to this document, so
17 then my question is, how can we approve funds for
18 this program?

19 MR. LESAUNDRI HUNT: Okay. Would you like to
20 make a motion?

21 MS. ANITA HAMMONDS BLANKS: I would make a
22 motion that these funds be denied based on the fact
23 that we've not been authorized to expend funds under
24 the veterans program by HUD, who has also levied
25 charges of \$433,000 that have to be repaid, so how

1 can we expend funds? So I would offer a motion that
2 we deny this request.

3 MR. LESAUNDRI HUNT: Okay. Is there a second?

4 MR. EVAN DAVENPORT: Ms. Janie, have you
5 reviewed any of this?

6 MR. LESAUNDRI HUNT: We have to finish this one.

7 MR. EVAN DAVENPORT: Oh, okay.

8 MR. BOBBY OXENDINE: Second.

9 MR. LESAUNDRI HUNT: We have a motion and a
10 second. Mr. Terry?

11 MR. TERRY HUNT: Mr. Speaker, I'd like to offer
12 a substitute motion to go as planned because if this
13 wasn't explained the first time we voted and sent
14 back to committee, why didn't that come up at that
15 time? And we only sent it back because that fellow
16 was still on the employment with the VA, and he's
17 resigned, turned his letter in, and we're bringing it
18 back for a vote. That's basically my substitute
19 motion.

20 MR. LESAUNDRI HUNT: We have a substitute
21 motion.

22 MR. JONATHAN LOCKLEAR: Second.

23 MR. LESAUNDRI HUNT: We have a second.

24 MR. BILL BREWINGTON: Discussion.

25 MR. LESAUNDRI HUNT: We have discussion. Mr.

1 Bill?

2 MR. BILL BREWINGTON: I think it was noted in
3 our last discussion that in the IHP -- and the IHP is
4 our plan, and they put \$82,000 in the IHP. All we're
5 doing tonight is authorizing a request if it's not
6 legit and it's denied, then it can't be spent, but if
7 we deny the request, then we got to go back and keep
8 going over and over rehashing this. If it's not
9 approved by IHP, and the IHP is not going through --
10 it's already gone through with the \$82,000 in there,
11 but if someone in our administration and our newly
12 elect chair finds reason why that \$82,000 is not
13 legit, then we stop spending, but to postpone
14 veteran's assistance, we're doing wrong. We're not
15 saying spend money that's not there. We're saying
16 spend money that's authorized in hopes that's what
17 we're doing.

18 MR. LESAUNDRI HUNT: Okay. Anyone else? Mr.
19 Al?

20 MR. ALTON LOCKLEAR: Yes. Can anyone from the
21 administration come before us tonight and tell us
22 exactly what the veteran's programs is currently
23 doing at this time because under these rules, it's
24 not something the veteran's office has been doing in
25 the past, so I'd like clarification on what they're

1 doing now to comply with HUD and the IHP what exactly
2 they're doing now.

3 MR. LESAUNDRI HUNT: Mr. Billy?

4 MR. BILLY HUNT: I'm unable to answer that.
5 That would have to be addressed to the tribal
6 administrator.

7 MR. LESAUNDRI HUNT: Okay. The tribal
8 administrator did call me, and he went home sick
9 about 4-4:30 when he did call me and told me he
10 wouldn't be at the meeting tonight, so apparently,
11 Mr. Al, no one's here who can answer that question.

12 MR. ALTON LOCKLEAR: So then how do we know that
13 this is not going to be another audit finding because
14 the administration the last year failed because they
15 were doing everything in accordance with HUD's
16 recommendation --

17 MR. BILL BREWINGTON: Point of order.

18 MR. ALTON LOCKLEAR: Excuse me.

19 MR. BILL BREWINGTON: Point of order. Mr. Al,
20 I'm going to ask that you give everybody else a
21 chance to speak on this.

22 MR. ALTON LOCKLEAR: I haven't finished my
23 original question.

24 MR. BILL BREWINGTON: You --

25 THE REPORTER: Excuse me, but I need everyone to

1 speak one at a time and in turn.

2 MR. BILL BREWINGTON: You've spoke one time, so
3 I ask you give everyone a chance, and then you can
4 come back if the chairman authorizes it so everybody
5 else can speak on this issue.

6 MR. ALTON LOCKLEAR: All right. Well, I asked a
7 question. I responded to the answer. Again, how do
8 we know that there's not going to be another audit
9 finding if the administration was doing the first
10 time what they should've been doing, how do we know
11 there's to be another audit finding, that we're not
12 going to get another audit finding by doing something
13 that's not authorized by HUD?

14 MR. LESAUNDRI HUNT: All right. Mr. Al, we can't
15 answer that at this time. We don't know. Anyone
16 else?

17 MR. EVAN DAVENPORT: Mr. Locklear, as per the
18 question, I had asked Ms. Jan if she had incurred any
19 new, additional information on this particular
20 subject.

21 MS. JANIE MCFARLAND: Only the letter that Ms.
22 Anita has.

23 MR. EVAN DAVENPORT: Okay. So no different than
24 that?

25 MS. JANIE MCFARLAND: (Nonverbal response.)

1 MR. EVAN DAVENPORT: Thank you.

2 MR. ALTON LOCKLEAR: Ms. Janie, could you repeat
3 that, please?

4 MS. JANIE MCFARLAND: Only the letter that Ms.
5 Anita has that was passed out to everyone.

6 MR. LESAUNDRI HUNT: Okay. We have one in favor
7 and one against the motion. Anyone else? Okay.

8 MR. SHELLEY STRICKLAND: Point of order. Now,
9 Mr. Al does a right to a rebuttal.

10 MR. LESAUNDRI HUNT: Okay. Mr. Locklear, would
11 you like to --

12 MR. ALTON LOCKLEAR: I didn't hear any of that.

13 MR. SHELLEY STRICKLAND: You have the floor for
14 a rebuttal.

15 MR. ALTON LOCKLEAR: Well, again, I restate what
16 I said earlier. If there's no one here from
17 administration to tell us exactly what the veteran's
18 office is doing now and in the past -- we got
19 findings that we were taking veterans on fishing
20 trips, and HUD said we shouldn't be doing it. The
21 only thing from my standing is that what we can do is
22 to transport veterans for housing services, and I
23 don't know if there's anyone here who can tell us
24 exactly what we are doing now. Have we changed the
25 scope of the veteran's program because no one has

1 come before us from the veteran's office and said
2 this is what we're doing, so before I think we
3 approve it, I think we need to know exactly what the
4 veteran's office is doing.

5 MR. LESAUNDRI HUNT: Okay.

6 MR. EVAN DAVENPORT: Is that a motion? Mr. Al,
7 is that a motion?

8 MR. ALTON LOCKLEAR: Yes. That is a motion.

9 MR. LESAUNDRI HUNT: Restate your motion.

10 MR. ALTON LOCKLEAR: My motion is that we go
11 back committee and get a presentation through the
12 finance committee from the veteran's office as to
13 exactly the scope of where they are performing so
14 that we are -- know for sure that we are in
15 compliance. The letter does not state what the
16 veterans office is doing, it says what we should be
17 doing.

18 MS. ANITA HAMMONDS BLANKS: Second.

19 MR. LESAUNDRI HUNT: We have a motion and a
20 second. We have a parliamentary --

21 MR. BILL BREWINGTON: We have an original
22 motion, then we got a substitute motion, and we can't
23 have them overlapping. We got to vote on the
24 substitute motion, and if it fails, then we got to go
25 back to the original motion, and then if you want to

1 make another substitute, then we got to do that after
2 the original. The substitute takes priority over the
3 original motion.

4 MR. ALTON LOCKLEAR: So I offer a substitute
5 motion on a substitute motion?

6 MR. LESAUNDRI HUNT: Yeah.

7 MR. JONATHAN LOCKLEAR: Call for question.

8 MR. LESAUNDRI HUNT: Okay. We got a call for
9 question. We will be voting on the substitute
10 motion. Mr. Hunt, would you restate?

11 MR. TERRY HUNT: My substitute motion was to go
12 ahead and decide it tonight because we want the --
13 the council was asked to resolve it, and we did, and
14 that resolved what we was asked for it to do. Plus,
15 the veterans was there at that time also, so there
16 was no contesting the letter at that time, so that's
17 my substitute motion.

18 MR. LESAUNDRI HUNT: Okay. Do we have a
19 question?

20 MS. ANITA HAMMONDS BLANKS: Could you repeat
21 that motion?

22 MR. ALTON LOCKLEAR: Yeah. It sounded
23 completely different.

24 MR. TERRY HUNT: Let me start over again. Maybe
25 I added too much to it. My motion is to go ahead and

1 decide tonight about the veteran's money tonight
2 because what we did at the last meeting has been
3 complied with. Therefore, we should continue on with
4 it.

5 MR. LESAUNDRI HUNT: Okay. Is everyone clear?
6 Any questions?

7 MR. ALTON LOCKLEAR: Mr. Speaker, I just want to
8 make it clear. He's asking that we decide, vote --

9 MR. TERRY HUNT: (Nonverbal response.)

10 MS. JAN LOWERY: Evan Davenport?

11 MR. EVAN DAVENPORT: No.

12 MS. JAN LOWERY: Terry Hunt?

13 MR. TERRY HUNT: Yes.

14 MS. JAN LOWERY: Janie Oxendine?

15 MS. JANIE MCFARLAND: Pass.

16 MS. JAN LOWERY: Lesaundri Hunt?

17 MR. LESAUNDRI HUNT: No.

18 MS. JAN LOWERY: Alton Locklear?

19 MR. ALTON LOCKLEAR: No.

20 MS. JAN LOWERY: Jonathan Locklear?

21 MR. JONATHAN LOCKLEAR: Yes.

22 MS. JAN LOWERY: Bobby Oxendine?

23 MR. BOBBY OXENDINE: No.

24 MS. JAN LOWERY: Jarrod Lowery?

25 MR. JARROD LOWERY: No.

1 MS. JAN LOWERY: Douglas Locklear?
2 MR. DOUGLAS LOCKLEAR: No.
3 MS. JAN LOWERY: Robert Chavis? Jan Lowery,
4 yes. Bill Brewington?
5 MR. BILL BREWINGTON: Yes.
6 MS. JAN LOWERY: Daniel Jones?
7 MR. DANIEL JONES: Yes.
8 MS. JAN LOWERY: Anita Hammonds Blanks?
9 MS. ANITA HAMMONDS BLANKS: No.
10 MS. JAN LOWERY: Terry Collins.
11 MR. TERRY COLLINS: No.
12 MS. JAN LOWERY: Frank Cooper?
13 MR. FRANK COOPER: No.
14 MS. JAN LOWERY: Areatha Patterson?
15 MS. AREATHA PATTERSON: Yes.
16 MS. JAN LOWERY: Shelley Strickland?
17 MR. SHELLEY STRICKLAND: No.
18 MS. JAN LOWERY: William Maiden?
19 MR. WILLIAM MAIDEN: No.
20 MS. JAN LOWERY: Homer Fields?
21 MR. HOMER FIELDS: No.
22 MR. LESAUNDRI HUNT: Okay. Substitute motion
23 failed. Ms. Janie didn't vote.
24 MS. JAN LOWERY: What did she say?
25 MS. JANIE MCFARLAND: No.

1 MR. LESAUNDRI HUNT: The original motion was to
2 -- Ms. Janie, would you restate your main motion?
3 MR. JONATHAN LOCKLEAR: Ms. Anita made that
4 motion.
5 MR. LESAUNDRI HUNT: My mistake. Ms. Anita,
6 will you restate?
7 MS. ANITA HAMMONDS BLANKS: I make a motion that
8 we deny the funds to the veteran's department at this
9 time until such a time as the information on the IHP
10 is given to us in black and white that it has been
11 approved with these added costs.
12 MR. WILLIAM MAIDEN: Second.
13 MR. LESAUNDRI HUNT: Who has a second?
14 MR. WILLIAM MAIDEN: I second and third.
15 MR. LESAUNDRI HUNT: Okay. Ms. Anita made the
16 motion, and Mr. William had the second. Any
17 questions before we vote? Ms. Jan, roll call vote,
18 please.
19 MS. JAN LOWERY: Evan Davenport?
20 MR. EVAN DAVENPORT: Yes.
21 MS. JAN LOWERY: Terry Hunt?
22 MR. TERRY HUNT: No.
23 MS. JAN LOWERY: Janie Oxendine McFarland?
24 MS. JANIE MCFARLAND: Yes.
25 MS. JAN LOWERY: Lesaundri Hunt?

1 MR. LESAUNDRI HUNT: Yes.

2 MS. JAN LOWERY: Alton Locklear?

3 MR. ALTON LOCKLEAR: Yes.

4 MS. JAN LOWERY: Jonathan Locklear?

5 MR. JONATHAN LOCKLEAR: No.

6 MS. JAN LOWERY: Bobby Oxendine?

7 MR. BOBBY OXENDINE: Yes.

8 MS. JAN LOWERY: Jarrod Lowery?

9 MR. JARROD LOWERY: Yes.

10 MS. JAN LOWERY: Larry Townsend? Doug Locklear?

11 MR. DOUGLAS LOCKLEAR: Yes.

12 MS. JAN LOWERY: Robert Chavis? Jan Lowery, no.

13 Bill Brewington?

14 MR. BILL BREWINGTON: No.

15 MS. JAN LOWERY: Daniel Jones?

16 MR. DANIEL JONES: No.

17 MS. JAN LOWERY: Anita Hammonds Blanks?

18 MS. ANITA HAMMONDS BLANKS: Yes.

19 MS. JAN LOWERY: Terry Collins?

20 MR. TERRY COLLINS: Yes.

21 MS. JAN LOWERY: Frank Cooper?

22 MR. FRANK COOPER: Yes.

23 MS. JAN LOWERY: Areatha Patterson?

24 MS. AREATHA PATTERSON: No.

25 MS. JAN LOWERY: Shelley Strickland?

1 MR. SHELLEY STRICKLAND: Yes.

2 MS. JAN LOWERY: William Maiden?

3 MR. WILLIAM MAIDEN: Yes.

4 MS. JAN LOWERY: Homer Fields?

5 MR. HOMER FIELDS: Yes.

6 MS. JAN LOWERY: Carries.

7 MR. LESAUNDRI HUNT: And the motion carries.

8 Next, Ms. Janie?

9 MS. JANIE MCFARLAND: That's the last one.

10 MR. LESAUNDRI HUNT: Okay. Next item is from
11 the ethics committee. Chairperson, Ms. Areatha
12 Patterson?

13 MS. AREATHA PATTERSON: Mr. Speaker, I make a
14 motion that we lift the sanctions on Councilman Larry
15 Townsend based on the ordinance CLLO 2010-0312-01 and
16 any proceeding ordinance submitted by the tribal
17 council titled "Ethics and conflict of interest" be
18 removed, and that any evidence based on the latter be
19 ruled out, and the language of CLLO 2010-0312-01 be
20 granted and nulled as against Larry Townsend as a
21 council member be included but not limited to full
22 voting rights as governed by Article XI of the
23 constitution of the Lumbee Tribe of North Carolina be
24 destroyed immediately.

25 MR. LESAUNDRI HUNT: Okay. It doesn't need a

1 second.

2 MS. ANITA HAMMONDS BLANKS: I have a question.
3 Areatha, could you read that CLLO part again? Which
4 ordinance are you talking about?

5 MS. AREATHA PATTERSON: Which are you talking
6 about?

7 MS. ANITA HAMMONDS BLANKS: The CLLO that you
8 just quoted.

9 MS. AREATHA PATTERSON: 2010-0312-01.

10 MR. LESAUNDRI HUNT: Okay.

11 MS. AREATHA PATTERSON: So we have discussed
12 this. We had a meeting with this. We're ready to
13 vote on this.

14 MR. LESAUNDRI HUNT: It's a motion. We don't
15 need a second, but we do have to allow for comments.

16 MR. ALTON LOCKLEAR: Mr. Speaker, is it possible
17 to get a copy of what Ms. Patterson's quoting? It's
18 not in the packet.

19 MR. TERRY HUNT: Mr. Speaker, I call for the
20 question.

21 MR. LESAUNDRI HUNT: You're just asking for it
22 to be lifted?

23 MS. AREATHA PATTERSON: Lifted, I guess. So his
24 rights are restored to him. His rights have been in
25 question. He can not vote on anything, and this has

1 been going on forever. The council has met as a
2 committee, everybody, so we want to go ahead an vote
3 on it.

4 MR. LESAUNDRI HUNT: Mr. Al?

5 MR. ALTON LOCKLEAR: I'm just asking to get a
6 copy of the section she just read so it's clear what
7 we're voting on.

8 MR. LESAUNDRI HUNT: Ms. Belinda, can you get a
9 copy of that? That's not the ordinance itself,
10 that's a new document.

11 MR. ALTON LOCKLEAR: Mr. Speaker, is this in the
12 form of a resolution?

13 MR. TERRY HUNT: No. Mr. Speaker, I call for
14 the question.

15 MR. BILL BREWINGTON: Mr. Speaker, I suggest to
16 Ms. Areatha that she just make a motion -- change her
17 motion on Mr. Townsend, and that will get rid of --
18 clear it all up. Re-substitute or restate your
19 motion to lift the sanction. We all know what it is,
20 we all know how we're going to vote.

21 MS. AREATHA PATTERSON: I make a motion to lift
22 the sanction.

23 MR. LESAUNDRI HUNT: And that's all you want to
24 say?

25 MS. AREATHA PATTERSON: Right.

1 MR. LESAUNDRI HUNT: Okay. We're going to go
2 ahead and vote. I mean, if somebody wants to --

3 MR. BILL BREWINGTON: Point of order. So
4 everybody understands what she read -- what you're
5 voting on is just to lift the sanction. Nothing that
6 she said is binding. It's just to lift the sanction.

7 MR. ALTON LOCKLEAR: Mr. Speaker?

8 MR. LESAUNDRI HUNT: We now have a question.

9 MR. EVAN DAVENPORT: Yes. We're checking that
10 -- it didn't come out of committee based on what I'm
11 reading on this CLLR-2014 --

12 MR. LESAUNDRI HUNT: That is -- will be null and
13 void. She just made that --

14 MR. EVAN DAVENPORT: I understand that. That's
15 what's on the table right now.

16 MR. LESAUNDRI HUNT: Okay. Mr. --

17 MS. AREATHA PATTERSON: It did.

18 MR. LESAUNDRI HUNT: This did come out of
19 committee. That's why it didn't need a second. It
20 did come out of committee. Okay. We're ready to
21 vote. May I have your attention, please.

22 MR. ALTON LOCKLEAR: I'm sorry. Are we voting
23 on this (Indicating)?

24 MR. LESAUNDRI HUNT: No. No.

25 MR. ALTON LOCKLEAR: This is what came out of

1 committee. We're voting on a different motion.

2 MR. LESAUNDRI HUNT: That didn't come out of

3 committee. Okay. We're ready to vote.

4 MS. JAN LOWERY: Evan Davenport?

5 MR. EVAN DAVENPORT: No.

6 MS. JAN LOWERY: Terry Hunt?

7 MR. TERRY HUNT: Yes.

8 MS. JAN LOWERY: Janie Oxendine McFarland?

9 MS. JANIE MCFARLAND: No.

10 MS. JAN LOWERY: Lesaundri Hunt?

11 MR. LESAUNDRI HUNT: No.

12 MS. JAN LOWERY: Alton Locklear?

13 MR. ALTON LOCKLEAR: No.

14 MS. JAN LOWERY: Jonathan Locklear?

15 MR. JONATHAN LOCKLEAR: Yes.

16 MS. JAN LOWERY: Bobby Oxendine?

17 MR. BOBBY OXENDINE: No.

18 MS. JAN LOWERY: Jarrod Lowery?

19 MR. JARROD LOWERY: Yes.

20 MS. JAN LOWERY: Douglas Locklear?

21 MR. DOUGLAS LOCKLEAR: Yes.

22 MS. JAN LOWERY: Robert Chavis? Jan Lowery,

23 yes. Bill Brewington?

24 MR. BILL BREWINGTON: Yes.

25 MS. JAN LOWERY: Daniel Jones?

1 MR. DANIEL JONES: Yes.

2 MS. JAN LOWERY: Anita Hammonds Blanks?

3 MS. ANITA HAMMONDS BLANKS: No.

4 MS. JAN LOWERY: Terry Collins?

5 MR. TERRY COLLINS: No.

6 MS. JAN LOWERY: Frank Cooper?

7 MR. FRANK COOPER: No.

8 MS. JAN LOWERY: Areatha Patterson?

9 MS. AREATHA PATTERSON: Yes.

10 MS. JAN LOWERY: Shelley Strickland?

11 MR. SHELLEY STRICKLAND: Yes.

12 MS. JAN LOWERY: William Maiden?

13 MR. WILLIAM MAIDEN: No.

14 MS. JAN LOWERY: Homer Fields?

15 MR. HOMER FIELDS: No.

16 MS. JAN LOWERY: It failed.

17 MR. LESAUNDRI HUNT: And the motion failed.

18 MR. ALTON LOCKLEAR: Mr. Speaker, I offer a

19 motion since we've heard this sanction -- this is the

20 third time in this calendar year that we offer a

21 motion that we no longer hear of this sanction until

22 that conflict of interest has been lifted.

23 MR. TERRY HUNT: You can't do that.

24 MS. ANITA HAMMONDS BLANKS: Second.

25 MR. JONATHAN LOCKLEAR: Second.

1 MR. LESAUNDRI HUNT: Ladies and gentlemen, if I
2 can make a privileged statement. We do have a court
3 case that has been put on the docket for court on
4 December 28th concerning this issue, and it's before
5 the supreme court, so I would suggest -- I would like
6 to suggest that we wait until then to see what the
7 supreme court's decision is.

8 MR. ALTON LOCKLEAR: My stance is that the
9 supreme court hasn't decided if they're really going
10 to hear the case. I would -- since we've discussed
11 this matter three times, we've tied this council up
12 in numerous committee meetings, and this is the third
13 time it's been voted down to not remove the sanction,
14 so I make a motion that we not -- we will not hear
15 this matter until the conflict of interest is removed
16 regardless of how the supreme court decides, which
17 has nothing to do with our law.

18 MR. WILLIAM MAIDEN: Call for the question.

19 MR. LESAUNDRI HUNT: We have a question. I
20 think we need some clarification on what Mr. Al was
21 saying, but I'll allow for a couple comments. Okay.
22 Ms. Jan?

23 MS. JAN LOWERY: I just want to say that I've
24 sat here for the past year and listened to ordinances
25 be presented over and over and over again by several

1 members on our council, so why pick this one to come
2 out and say we don't want to hear it again is a
3 surprise to me, and I don't think it's in our rules
4 or there's any ordinance that says we can't listen to
5 an ordinance or a motion that's presented several
6 times. If I'm mistaken, please, show me where it is.

7 MR. LESAUNDRI HUNT: That is correct. Earlier
8 in the year, that was presented that an item cannot
9 come back to the council repeatedly in the same
10 calender year. That motion was voted down, it did
11 not pass, so that and any item can come back.
12 There's no limit on it since we voted that down
13 earlier in the year. That's my understanding.

14 MS. JAN LOWERY: Could we get the clerk of court
15 to respond to that?

16 MR. BILLY HUNT: What's the question? I'm
17 sorry.

18 MS. JAN LOWERY: About the number of times
19 ordinances can come before us and be presented.

20 MR. BILLY HUNT: There's not a specific
21 ordinance for that as a matter of fact.

22 MS. JAN LOWERY: And can you tell me about when
23 the case is coming up then?

24 MR. BILLY HUNT: The case -- it's scheduled for
25 December 28th at 6:30.

1 MS. JAN LOWERY: Here?

2 MR. BILLY HUNT: Yes, ma'am.

3 MR. TERRY HUNT: Bare with me, Mr. Speaker, but
4 I want to remind the council there's another motion
5 that's come to this council for a year, and every
6 time it comes out, we debate and debate and debate
7 and debate. It dies and we put no restrictions on
8 that motion. I disagree with these objections.

9 MR. LESAUNDRI HUNT: And I think my statement I
10 just made would end the motion. Mr. Bobby and Mr.
11 Strickland?

12 MR. BOBBY OXENDINE: For clarification, I
13 believe if the prevailing side does a reconsidered
14 motion and that passes, then that motion is down for
15 the duration unless the prevailing side brings it
16 back up; am I correct?

17 MR. BILL BREWINGTON: Yes. Point of order.
18 That's true. It can't come back tonight because of
19 what the prevailing side -- the vote was 10-10, and
20 therefore, it allows either side, but since it was
21 defeated, it would have to be the prevailing side to
22 bring it back up.

23 MR. BOBBY OXENDINE: I offer a motion that we
24 reconsider this motion.

25 MR. LESAUNDRI HUNT: The motion has been made by

1 Mr. Al. Okay. Would you restate that, Mr. Al?

2 MR. ALTON LOCKLEAR: My motion is to -- since
3 this motion's been heard three times from the ethics
4 committee and the entire council, and it's been voted
5 down every time, that the conflict of interest has
6 not been removed, and that we will not hear this
7 matter again until the conflict of interest has been
8 removed. Also in the original --

9 MR. LESAUNDRI HUNT: Okay. Can we get a second?

10 MS. ANITA HAMMONDS BLANKS: I second.

11 MR. LESAUNDRI HUNT: Okay.

12 MR. ALTON LOCKLEAR: In the original motion, it
13 stated exactly that. Can I read that please?

14 MR. LESAUNDRI HUNT: Okay. You've got three
15 minutes.

16 MR. ALTON LOCKLEAR: Immediate sanctions against
17 Mr. Townsend to remove him from all committee chair
18 proceedings, prevent him from sitting as committee
19 chair, co-chair, or participate in any public
20 sessions, duties of tribal council until the conflict
21 of interest is removed. I was reading what the
22 original motion said.

23 MR. LESAUNDRI HUNT: What he just read is not in
24 the motion that he just stated in his statement.

25 MR. ALTON LOCKLEAR: And it was voted seven yes,

1 six no.

2 MR. LESAUNDRI HUNT: Just the motion, Mr. Al.
3 Repeat just the motion.

4 MR. ALTON LOCKLEAR: My motion is to not hear
5 this matter again until the conflict of interest is
6 removed.

7 MR. LESAUNDRI HUNT: Okay. Do we have a
8 question. Did we get a second?

9 MS. ANITA HAMMONDS BLANKS: Yes.

10 MR. LESAUNDRI HUNT: Okay. We have a motion and
11 a second. Call for question. Ms. Jan, roll call,
12 please.

13 MS. JAN LOWERY: Evan Davenport?

14 MR. EVAN DAVENPORT: Yes.

15 MS. JAN LOWERY: Terry Hunt?

16 MR. TERRY HUNT: No.

17 MS. JAN LOWERY: Janie Oxendine McFarland?

18 MS. JANIE MCFARLAND: Yes.

19 MS. JAN LOWERY: Lesaundri Hunt?

20 MR. LESAUNDRI HUNT: No.

21 MS. JAN LOWERY: Alton Locklear?

22 MR. ALTON LOCKLEAR: Yes.

23 MS. JAN LOWERY: Jonathan Locklear?

24 MR. JONATHAN LOCKLEAR: No.

25 MS. JAN LOWERY: Bobby Oxendine?

1 MR. BOBBY OXENDINE: Yes.

2 MS. JAN LOWERY: Jarrod Lowery?

3 MR. JARROD LOWERY: No.

4 MS. JAN LOWERY: Douglas Locklear?

5 MR. DOUGLAS LOCKLEAR: No.

6 MS. JAN LOWERY: Robert Chavis? Jan Lowery, no.

7 Bill Brewington?

8 MR. BILL BREWINGTON: No.

9 MS. JAN LOWERY: Daniel Jones?

10 MR. DANIEL JONES: No.

11 MS. JAN LOWERY: Anita Hammonds Blanks?

12 MS. ANITA HAMMONDS BLANKS: Yes.

13 MS. JAN LOWERY: Terry Collins?

14 MR. TERRY COLLINS: Yes.

15 MS. JAN LOWERY: Frank Cooper?

16 MR. FRANK COOPER: Yes.

17 MS. JAN LOWERY: Areatha Patterson?

18 MS. AREATHA PATTERSON: No.

19 MS. JAN LOWERY: Shelley Strickland?

20 MR. SHELLEY STRICKLAND: Abstain.

21 MS. JAN LOWERY: William Maiden?

22 MR. WILLIAM MAIDEN: Yes.

23 MS. JAN LOWERY: Homer Fields?

24 MR. HOMER FIELDS: No.

25 MS. JAN LOWERY: Failed.

1 MR. LESAUNDRI HUNT: And the motion failed.
2 Next on our agenda is constitution and ordinance.
3 Ms. Anita Blanks?

4 MS. ANITA HAMMONDS BLANKS: This is CLLR,
5 resolution 2015-1217-01. It states:

6 Whereas, the Lumbee Tribal Council has the power
7 to enact legislation to appropriate funds for
8 operation of the tribal government, and;

9 Whereas, the fiscal year of operation of the
10 Lumbee Tribe of North Carolina is October 1, thru
11 September 30, and;

12 Therefore, be it Resolved, the Tribal Council of
13 the Lumbee Tribe of North Carolina votes to authorize
14 the "Set Aside" of funds labeled in the 2015-2016
15 Lumbee Tribal Budget as "Unrestricted" as follows:

16 1. The amount up to \$35,000 will be made
17 available to the Lumbee Tribe's Board of Elections.

18 2. These funds will be used by the Board of
19 Elections to fulfill duties and responsibilities as
20 stated in the Tribal Constitution.

21 3. These funds will be used for any Tribal
22 Elections held in the year 2016.

23 4. The Board of Elections will present a
24 projected budget to the Tribal Council before the
25 expenditure of any funds.

1 5. A Report of all revenues/expenses will be
2 presented to the Tribal Council thirty days after any
3 election held in the year 2016.

4 And this is out of the constitution committee
5 meeting.

6 MR. LESAUNDRI HUNT: Okay. It don't need a
7 second. Ms. Jan?

8 MS. JAN LOWERY: Now, this is something that is
9 very interesting when we want to talk about things
10 coming before us several times and people getting
11 tired of hearing it. Here's a ordinance that's
12 coming out of the constitution committee that's
13 dealing with money -- a resolution. Why did it not
14 come out of the finance committee? And then number
15 two, the chairman is supposed to bring any changes to
16 the budget to us to maintain, so who are we to sit
17 here and decide that because that there might be a
18 new election that we're going to need \$35,000 be
19 moved?

20 MR. LESAUNDRI HUNT: Okay. I have some comments
21 myself. You go ahead.

22 MS. ANITA HAMMONDS BLANKS: Mr. Speaker, as Ms.
23 Janie here can attest to,--

24 MS. JAN LOWERY: Jan.

25 MS. ANITA HAMMONDS BLANKS: Excuse me. Ms.

1 Janie here can attest to, she asked me to write this
2 resolution to set aside these funds for the board of
3 elections so we didn't have to go through the trash
4 that the board of elections is currently going
5 through. That was her request to me, and besides
6 that, the people in the constitution committee are
7 the same people on the finance committee.

8 MS. JANIE MCFARLAND: That's correct.

9 MS. ANITA HAMMONDS BLANKS: And the funds will
10 not be available for use until February 2016, so the
11 coming election -- this will not affect the upcoming
12 election prior to that period of time, and besides
13 that, these are funds that are set in the budget
14 under the tribal council's prevue as these are
15 unrestricted funds. We put those funds there so that
16 they could not be used until the tribal council
17 deemed it appropriate to deal with those funds.

18 MR. LESAUNDRI HUNT: Okay. That is correct I
19 understand. Mr. Jarrod?

20 MR. JARROD LOWERY: Thank you, Mr. Speaker. A
21 few comments. While I have no issue with what comes
22 out of what committee, until we have rules for our
23 committees on actually having ordinances stating
24 what's appropriate, pretty much anything can come out
25 of committee, but I do -- the thing that bothers me,

1 and I'm truly not bothered, we just have set aside an
2 unrestricted budget which we all agreed on, and it
3 will come out in February -- and I think many people
4 of our tribe, of our nation like myself is kind of
5 excited to start a new year with a new tribal
6 chairman and tribal council, and I think in my mind,
7 I rather wait until we have the new tribal chairman
8 to give us the leadership on where to -- where our
9 funds should be decided as a budget, so what's wrong
10 with waiting another month, you know, of saying let's
11 wait for the new tribal chairman and decide where we
12 want these \$35,000 to go. It's not going in effect
13 until February, so maybe we shouldn't jump the gun
14 until the administration has the opportunity to have
15 some input. That's my thoughts. Thank you, Mr.
16 Speaker.

17 MR. LESAUNDRI HUNT: Are you offering that as a
18 motion?

19 MR. JARROD LOWERY: No, Mr. Speaker.

20 MR. LESAUNDRI HUNT: Mr. Davenport?

21 MR. EVAN DAVENPORT: My only comment to that
22 comment is that could be anything we discussed
23 tonight. If it's on the agenda, it's been approved
24 on the agenda, let's go ahead and follow protocol and
25 get it resolved.

1 MR. LESAUNDRI HUNT: Mr. Bill?

2 MR. BILL BREWINGTON: Mr. Speaker, I'm on the
3 finance and the constitution committee, and like Ms.
4 Jan said, this came from the constitution, and it's
5 dealing with money, and I voted no. I'd like to
6 explain to you why with three reasons, and all three
7 reasons are for legal reasons.

8 In our constitution under Article VIII, the
9 tribal chairperson, all executive power including
10 limitations and compliance with that budget. Our
11 annual budget has been approved, and you all know,
12 once we approve our annual budget, it then must go
13 through the chairman. Also, in an ordinance we just
14 approved, we said the tribal council of the Lumbee
15 Tribe reserves the right to budget as recommended by
16 the tribal chairman. All budget monies go through
17 the chairman, but foremost, is this next one. We
18 ignore the constitution it appears if we vote for
19 this, we ignore our own ordinance, but we got a court
20 order. Ms. Belinda, give a copy to everyone.

21 This court order was did back in January 2010,
22 Purnell Swett v. Richard Burnette. Belinda will be
23 glad to give you a total copy of it, but tonight, I
24 want you to look at an insert out of it, and if we
25 vote on what's before us tonight before our

1 elect-chairman -- we don't need to railroad something
2 over on him right tonight. We know the election
3 board's going to need money, let's work with our
4 elected chairman to provide that.

5 MR. LESAUNDRI HUNT: Mr. Bill,--

6 MR. BILL BREWINGTON: This is a court order.

7 MR. LESAUNDRI HUNT: -- if the chair has a
8 problem with passing out this information now. This
9 is supposed to be given to us five days in advance.

10 MR. BILL BREWINGTON: Well, everybody has this.
11 This is just a reminder.

12 MR. LARRY TOWNSEND: Mr. Speaker?

13 MR. LESAUNDRI HUNT: Mr. Larry?

14 MR. LARRY TOWNSEND: The previous council
15 person, Cynthia Hunt, gave the tribal council a book
16 of all the ordinances and all the resolutions, so no
17 one can not say I don't have a copy, and if they do
18 say I do not have a copy, it's by choice. It's an
19 error because we gave everybody a copy of the
20 ordinances and the resolutions and court cases, so
21 therefore, what Mr. Bill is reading is documentation
22 people actually have.

23 MR. BILL BREWINGTON: We have a right to read
24 it.

25 MR. WILLIAM MAIDEN: Mr. Speaker?

1 MR. LESAUNDRI HUNT: Mr. Maiden?

2 MR. WILLIAM MAIDEN: My question is, Ms. Janie,
3 is this money already set aside in the budget?

4 MS. JANIE MCFARLAND: Yes.

5 MR. WILLIAM MAIDEN: And if I might say too, Mr.
6 Speaker, no disrespect to our chairman-elect, this is
7 money that is set aside by the tribal council as
8 unrestricted funds to do as we deem necessary to do
9 that from.

10 MR. LESAUNDRI HUNT: Restate your --

11 MR. WILLIAM MAIDEN: Restate what I said?

12 MR. LESAUNDRI HUNT: (Nonverbal response.)

13 MR. WILLIAM MAIDEN: I asked Ms. Janie a
14 question, was this money already in the budget for
15 this year, and I think she responded yes. Is that
16 correct, Ms. Janie?

17 MS. JANIE MCFARLAND: This money has been set
18 aside once it comes in. It has not been received
19 yet. It's supposed to be coming in some time in
20 February.

21 MR. WILLIAM MAIDEN: If I might add, Mr.
22 Speaker,--

23 MS. JANIE MCFARLAND: It's listed in the budget
24 by the tribal council.

25 MR. WILLIAM MAIDEN: That's what my comment was.

1 No disrespect to the chairman-elect, but this was
2 money that was set aside by the tribal council as
3 line item Unrestricted Funds.

4 MR. LESAUNDRI HUNT: Well, I will -- wait a
5 minute. I'm reserved as the Speaker to do what I'm
6 going to do, but I'm going to relinquish the chair to
7 Mr. Maiden for a minute or two. Mr. Maiden, would
8 you come to the podium, please?

9 (Mr. William Maiden took the podium as
10 acting Speaker.)

11 MR. WILLIAM MAIDEN: As vice-chairman, I will
12 open up the floor. I think Mr. Lesaundri would like
13 to make a comment.

14 MR. LESAUNDRI HUNT: I have a problem with it as
15 a resolution. I would like to recommend that it go
16 back to committee and it be put in the form of an
17 ordinance before brought back to the council.

18 MR. BILL BREWINGTON: I second that.

19 MR. WILLIAM MAIDEN: Okay. That would have to
20 be put in as a substitute motion as there's already a
21 motion on the floor.

22 MR. LESAUNDRI HUNT: I offer it as a substitute
23 motion.

24 MR. TERRY HUNT: Second.

25 MR. WILLIAM MAIDEN: Mr. Lesaundri has made a

1 substitute motion. Mr. Terry has the second.
2 Discussion? The floor is open.

3 MS. ANITA HAMMONDS BLANKS: Mr. Speaker?

4 MR. WILLIAM MAIDEN: Ms. Anita?

5 MS. ANITA HAMMONDS BLANKS: The reason this is
6 done as a resolution is because the funds are already
7 sitting in the budget. We are just basically
8 earmarking them for that specific purpose as we
9 discussed in finance meetings, previous meetings. We
10 didn't just come up with this. We talked about
11 earmarking those funds for the board of elections,
12 and in a resolution, we could vote tonight it's
13 effective, but quite frankly, if you do it in the
14 form of an ordinance, it has to go back to -- taken
15 back to committee, and it then has to go to the
16 chairman for him to vote on it, and quite frankly, we
17 have not had the greatest success in getting things
18 filled with the current chairman, and quite frankly,
19 when we did the initial budget, we didn't know we
20 were going to have a new chairman, and we put those
21 funds there for the purpose of giving the tribal
22 council some power in dealing with funds considering
23 the situations we are in now. The board of elections
24 who -- they can't even hire a clerk because they
25 don't have funds, and that was the purpose of this in

1 dealing with it as a resolution is so the tribal
2 council can handle those responsibilities.

3 MR. WILLIAM MAIDEN: I have one against the
4 substitute motion. Mr. Townsend?

5 MR. LARRY TOWNSEND: Mr. Chairman, there's
6 information that's very, very, very germane to what
7 we're talking about, and to do this here is to
8 circumvent a court case, and to circumvent the power
9 given to the chairman by the power of the
10 constitution, the tribal council can not move money,
11 and it was known that the tribal council could not
12 move money by a resolution.

13 It's got to come from an ordinance, request, or
14 from the chairman himself, and whatever reason -- for
15 whatever reason you can just go on and on and on with
16 many reasons, but there's a purpose for what the
17 court is saying and what the constitution is saying
18 and the power carries with it this court case to
19 know, and ignorance of the law is no excuse. You can
20 only put money through -- you can not move money
21 through a resolution, and the court has ruled on
22 this, and the court has said that budget oversights
23 do not give the council authority to direct where or
24 with whom the tribal chairman can inspect -- spend
25 money after the council enacts the budget, nor do

1 they give the tribal council authority of prior
2 approval before expenditures are made.

3 So what we're getting into here is the same
4 thing from two years ago, legislation trying to pass
5 or legislation being passed that is the wrongest
6 legislation, that is binding on future tribal
7 councils, and when the court has ruled on this very
8 matter, then I think we need to adhere to what the
9 court is saying, and to do anything other than what
10 the speaker here has said is very circumventing the
11 law, the constitution, and it's got to go back to the
12 tribal council, and the chairman's got to initiate
13 it, whoever the chairman is, and I think -- I don't
14 want to tie another chairman's hands on something
15 that somebody's trying to push because you don't know
16 where -- you don't know what a few weeks are going to
17 bring, but we do know we have a chairman, and we have
18 a chairman-elect, and we have a chairman, and we know
19 we're going to have continuity.

20 MR. WILLIAM MAIDEN: That's your time. Mr.
21 Townsend, you are in favor of the substitute motion?

22 MR. LARRY TOWNSEND: Absolutely.

23 MR. WILLIAM MAIDEN: Okay. I'll hear another.
24 Are you in favor or opposed, Mr. Terry?

25 MR. TERRY HUNT: I have a comment.

1 MR. WILLIAM MAIDEN: Are you in favor of the
2 substitute motion or opposed?

3 MR. TERRY HUNT: (Nonverbal response.)

4 MR. WILLIAM MAIDEN: If you're in favor, make
5 your statement.

6 MR. TERRY HUNT: The only statement I have is
7 like I said, the court has ruled, and that's going to
8 hold us in contempt of court, and I don't want to be
9 in contempt of court. I respect our court.

10 MR. WILLIAM MAIDEN: I'll hear one more against
11 if there's one. If not,--

12 MS. ANITA HAMMONDS BLANKS: Mr. Speaker?

13 MR. WILLIAM MAIDEN: Yes?

14 MS. ANITA HAMMONDS BLANKS: In using the court
15 case in this situation, the problem is when we do a
16 budget, we designate the funds to go to attorney
17 fees. We can't tell them if we spend -- we can't
18 tell these lawyers to pay, to give a job to. We
19 can't do that. These funds are different. These
20 funds are sitting under the tribal council. These
21 are for the expenses determined to be used however
22 the tribal council deems it appropriate, so you know,
23 the chairman can't come in here and say, well, guys,
24 you can't spend that money under your prevue. He
25 doesn't have that authority because we designated

1 them specifically for the use of the tribal council,
2 and we say we want to take them and go to Las Vegas,
3 we can take them and go to Las Vegas because they're
4 sitting under our prevue by the same reason that he
5 is determined on how he spends money in any other
6 categories.

7 MR. WILLIAM MAIDEN: Okay. We have two opposed
8 and two in favor. I'm calling for the motion --

9 MR. BILL BREWINGTON: You let Ms. Anita speak
10 twice.

11 MR. WILLIAM MAIDEN: That's because she was
12 opposing. We needed two opposed and two in favor,
13 2-2. Mr. Lesaundri, would you state your substitute
14 motion again?

15 MR. LESAUNDRI HUNT: My substitute motion is to
16 refer it back to committee and it be put in form of
17 an ordinance and, in my opinion,-- not my opinion,
18 but my reason for doing this is a resolution is a
19 suggestion, these ordinances are law, so that is my
20 purpose for doing that, and I agree. If feel like
21 the chairman signed the budget as it was, so that the
22 budget was passed. I partially agree with Ms. Anita.
23 I'd like to put some teeth in it.

24 MR. WILLIAM MAIDEN: Is there a second to this
25 substitute motion?

1 MR. JONATHAN LOCKLEAR: Second.

2 MR. WILLIAM MAIDEN: Mr. Bill?

3 MR. BILL BREWINGTON: Folks, if the money's
4 needed, the money's there, but the process is wrong.
5 We approved the budget on line item 4115 under 737,
6 it comes out to \$183,000. Part of that 737 is part
7 of the tribal council, but after the budget is
8 approved, and you all know I'm telling the truth, all
9 money spent must go through the chairman. I'm pretty
10 sure our new chairman-elect will work with us and
11 allow us to use this money we got, but it must go
12 through the chairman. We don't have time or have the
13 right to spend money or allocate money without the
14 chairman once we approve that budget.

15 You're going totally against your own process.
16 How do we expect the new chairman-elect to follow
17 procedure if we don't follow procedure? The budget
18 has been approved. The budget is in the chairman's
19 hands. Let's show him that we can do what's right.

20 MR. WILLIAM MAIDEN: We're going to do a roll
21 call vote. Are you all understanding the motion? the
22 substitute motion that's on the floor?

23 MR. BILL BREWINGTON: Please repeat one more
24 time.

25 MR. WILLIAM MAIDEN: Sir?

1 MR. BILL BREWINGTON: Please repeat it one more
2 time.

3 MR. WILLIAM MAIDEN: Mr. Lesaundri, they're
4 asking for a repeat of the motion.

5 MR. LESAUNDRI HUNT: My substitute motion is
6 that we send it back to the appropriate committee,
7 and we put it in the form of an ordinance before it's
8 brought back to the council.

9 MR. WILLIAM MAIDEN: Everybody understand the
10 motion? Ms. Janie, roll call vote. Ms. Jan, I'm
11 sorry.

12 MS. JAN LOWERY: Evan Davenport?

13 MR. EVAN DAVENPORT: Pass.

14 MS. JAN LOWERY: Terry Hunt?

15 MR. TERRY HUNT: Yes.

16 MS. JAN LOWERY: Janie Oxendine McFarland?

17 MS. JANIE MCFARLAND: Yes.

18 MS. JAN LOWERY: Lesaundri Hunt?

19 MR. LESAUNDRI HUNT: Yes.

20 MS. JAN LOWERY: Alton Locklear?

21 MR. ALTON LOCKLEAR: Yes.

22 MS. JAN LOWERY: Jonathan Locklear?

23 MR. JONATHAN LOCKLEAR: Yes.

24 MS. JAN LOWERY: Bobby Oxendine?

25 MR. BOBBY OXENDINE: Yes.

1 MS. JAN LOWERY: Jarrod Lowery?
2 MR. JARROD LOWERY: Yes.
3 MS. JAN LOWERY: Larry Townsend?
4 MR. LARRY TOWNSEND: Yes.
5 MS. JAN LOWERY: Douglas Locklear?
6 MR. DOUGLAS LOCKLEAR: Yes.
7 MS. JAN LOWERY: Robert Chavis? Jan Lowery,
8 yes. Bill Brewington?
9 MR. BILL BREWINGTON: Yes.
10 MS. JAN LOWERY: Daniel Jones?
11 MR. DANIEL JONES: Yes.
12 MS. JAN LOWERY: Anita Hammonds Blanks?
13 MS. ANITA HAMMONDS BLANKS: No.
14 MS. JAN LOWERY: Terry Collins?
15 MR. TERRY COLLINS: Yes.
16 MS. JAN LOWERY: Frank Cooper?
17 MR. FRANK COOPER: Yes.
18 MS. JAN LOWERY: Areatha Patterson?
19 MS. AREATHA PATTERSON: Yes.
20 MS. JAN LOWERY: Shelley Strickland?
21 MR. SHELLEY STRICKLAND: Yes.
22 MS. JAN LOWERY: William Maiden?
23 MR. WILLIAM MAIDEN: Yes.
24 MS. JAN LOWERY: Homer Fields?
25 MR. HOMER FIELDS: Yes.

1 MS. JAN LOWERY: Carries.

2 MR. WILLIAM MAIDEN: Substitute motion carried,
3 so we carry it back to committee for further review
4 and study, and I will relinquish the chair back to
5 the speaker at this time.

6 (Mr. Lesaundri Hunt resumed his duties as
7 Speaker.)

8 MR. LESAUNDRI HUNT: Thank you, Mr. Maiden.
9 Next on our agenda is the administrator report. I
10 guess Ms. Belinda's going to do that. That was a
11 funny. We've already stated the reason why the
12 administrator's not here. If you would get your
13 calendars out.

14 (Pause.)

15 MR. LESAUNDRI HUNT: Okay. If we could have
16 your attention. Okay. It was brought to our
17 attention in our count concerning the veterans that
18 we announced that there was 12 vote no, which was
19 actually 13.

20 MS. JAN LOWERY: Janie abstained and I forgot to
21 add hers.

22 MR. LESAUNDRI HUNT: So we were making sure of
23 that before we make the announcement, so it doesn't
24 change anything. It just goes from 12 to 13 to go
25 back to committee. Okay. It goes back to committee

1 which was the way we voted. In your calendars, we
2 already have some items that's on your calendar. Is
3 there anything that's not on the December calendar
4 that needs to be on there. Mr. Bobby?

5 MR. BOBBY OXENDINE: Yes, sir. December 30th is
6 the opening for the community building, District 5.
7 It will be at 11:00, 11 a.m. You should have an
8 invitation in front of you, so you're cordially
9 invited.

10 MR. LESAUNDRI HUNT: Okay. District 5 -- and
11 you do have that in your envelope. Also to the
12 council, there will be seating arrangement at GPAC at
13 the swearing in. You have a letter or a leaflet
14 before you asking the number of people that will be
15 attending with you for seating arrangements. Ms.
16 Belinda would like to know that tonight. If you
17 could possibly give her that information tonight.

18 MS. BELINDA BREWER: If you could fill out that
19 sheet and give it back to me.

20 MR. LESAUNDRI HUNT: Ms. Pearlene is on the
21 committee with the tribal chairman-elect. Ms.
22 Pearlene, is there any more information that needs to
23 be given out at this time? You mentioned portraits.
24 The swearing in begins at 6:00. Please be there at
25 5:00 or as soon as you can. Mark will be taking some

1 pictures. There will be some other photographers
2 there. We will do an entire council picture at a
3 later date. Ms. Belinda, is that what we said?

4 MS. BELINDA BREWER: Yeah.

5 MR. LESAUNDRI HUNT: And the portrait that will
6 hang in the foyer. Is that what you talked about?

7 MS. BELINDA BREWER: I had discussed that at the
8 meeting. I didn't know what you guys were going to
9 do or what.

10 MR. LESAUNDRI HUNT: You and I talked about it,
11 and we said we'd do those not at the swearing in
12 ceremony itself, especially the group picture. If
13 everyone's there, you can get an individual picture,
14 but the group picture will be done at a later date.
15 Last year, I think it was done after the swearing in,
16 not that same night, but at a later date. Okay --
17 because I was called at home and asked to be here at
18 such a time. Anything else?

19 MR. ALTON LOCKLEAR: I was under the impression
20 that the Christmas party was at Boondocks; is that
21 correct? The tribal office Christmas party.

22 MR. WILLIAM MAIDEN: That's next Wednesday.

23 MR. ALTON LOCKLEAR: Is the council invited to
24 that?

25 MR. BILLY HUNT: Next Wednesday from 12-2 at the

1 boys and girls club.

2 MR. ALTON LOCKLEAR: I was confused. I thought
3 it was going to be at Boondocks Restaurant.

4 MR. LESAUNDRI HUNT: Okay. We can get back to
5 the calendar. Community building on December 30th,
6 and Billy said December 28th we'll be closed, but
7 there will be a supreme court hearing; is that right?

8 MR. BILLY HUNT: That's correct.

9 MR. LESAUNDRI HUNT: So if it's locked, it will
10 be on the outside. Mr. Billy will take care of that.
11 Okay. The first is New Year's Day, the office will
12 be closed. The swearing in will be January 7th of
13 the chairman-elect and the council members. On the
14 18th on our calendar, our office will be closed for
15 Martin Luther King holiday. Next tribal council
16 meeting will be January 21st.

17 MR. LARRY TOWNSEND: Mr. Speaker, any word yet
18 -- is anything emerged yet about the council to
19 organize anything they want to do for next year? Has
20 that been talked about or come to the table?

21 MR. LESAUNDRI HUNT: You mean for orientation?

22 MR. LARRY TOWNSEND: Yeah.

23 MR. LESAUNDRI HUNT: We had been in discussion,
24 but we hadn't had anything come yet, but we are
25 discussing the orientation for the new council, which

1 according to our rules, should be done within 15 days
2 after the swearing in unless otherwise decided by the
3 council. That's not written in stone according to
4 our rules, but if it's -- unless we change it, that's
5 what the rule is. Okay. Anything else on the
6 calendar?

7 MR. WILLIAM MAIDEN: Move to adjourn.

8 MS. JAN LOWERY: I wanted to remind all of the
9 council members of the meeting Friday night on the
10 health strategic plan report that the health
11 committee had designed that was given, so you're
12 welcome to come. We're going to feed everybody, and
13 you'll hear a report from myself and Dr. Cherry
14 Beasley about the outcome of the two-and-a-half day
15 workshop. That starts at 6:00 at the Holiday Inn
16 Express.

17 MR. LESAUNDRI HUNT: Okay. Mr. Evan?

18 MR. EVAN DAVENPORT: I just want to make a
19 comment. This will actually be my last council
20 meeting. I'll give Ms. Swett and Mr. Harvey, our
21 chairman-elect -- I want to give you a challenge.
22 Get something in District 1. Get something in
23 District 1. This council's heard me preach for three
24 years, but get something in District 1. The other
25 challenge is be your own person, be your own person.

1 Think for yourself. Don't let anyone influence you.
2 You're going to have friends that come up, and people
3 aren't going to like it, but be yourself. Have an
4 influence and do the right things for the folks in
5 District 1 -- and again, congratulations.

6 MR. LESAUNDRI HUNT: Okay. Mr. Townsend?

7 MR. LARRY TOWNSEND: To update you in case you
8 haven't heard, two very important things have
9 transpired, and one really today. I got an email
10 last Thursday about 4:30, 4:00. The assistant
11 secretary of the Bureau of Indian Affairs is
12 resigning. I believe if we've ever had a friend in
13 that position, we have friend in there now, and he's
14 stepping down January 1st. He's going back to New
15 Mexico. Number two, we were asked by the National
16 Congress of American Indians to contact their
17 representatives for a hearing that was held on
18 Wednesday of last week, and the hearing was to move
19 the recognition process from the BIA to the
20 Department of Interior in the Congress.

21 They passed a rider in the House to not fund the
22 federal recognition process, and I found out late
23 yesterday that it went under the Senate, and the
24 Senate has put together their part of the bill. They
25 took the rider off of the funding of federal

1 recognition process, so it looks like tomorrow
2 Congress will vote to fund the bill through September
3 of next year, so there's a lot of things up in the
4 air, and there's many things we're going to be faced
5 with Indian country, and we have to be very diligent,
6 and if you're not at the table, you're on the menu.
7 Thank you.

8 MR. LESAUNDRI HUNT: Okay. I think I heard a
9 motion to adjourn.

10 MR. JONATHAN LOCKLEAR: Second.

11 MR. LESAUNDRI HUNT: Is there anything else? If
12 not, would you stand with us? Let us go to the Lord
13 in prayer.

14 (A prayer was given by Mr. Lesaundri Hunt.)

15 (End of proceedings.)

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