

LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2013-1105-03

DATE: November 5, 2013

“PROPOSED AMENDEMENT FOR ETHICS AND CONFLICT OF INTEREST 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, Article XI, Section 2 of the Constitution of the Lumbee Tribe of North Carolina states the first Tribal Council elected under this Constitution shall adopt an ordinance proscribing conflicts of interest in the performance of duties by elected and appointment tribal officials and which ordinance shall require a tribal official to recuse him or herself from any decision or vote affecting his or her pecuniary interest or that of a family member.

WHEREAS, The Tribal Council has determined that additional provisions to the Ethics and Conflict of interest Ordinance shall include ethical standards of conduct that shall guide the actions of all persons who has a relationship with the Tribal Government and provide guidance for conducting business, protect the interest of tribal members and protect the reputation and integrity of Tribal Government.

WHEREAS, The ethical standard of conduct shall govern the conduct of tribal officials and staff, including employees, contractors, committee members, volunteers and tribal members in a manner that protects the best interests of the Tribe and is free from corruption and misconduct in the Tribal Government. Each person subject to the provisions of this Ordinance and any other tribal ordinances are personally responsible for ensuring that his or her conduct conforms to these following provisions:

SECTION 9 ETHICAL STANDARD OF CONDUCT.

1. All members of the Tribal Government shall be held to the highest standards of professional and personal conduct. All persons are expected to set a example of honesty, integrity, professional and ethical behavior, any violations of this Ordinance have the potential to impact the effective functioning of Tribal Government, threaten the financial and other interests of the Tribe and its members, bring discredit to the Tribe and harm its good reputation.
2. All members shall refrain from engaging in any of the following behavior:

1. Use of language and /or behavior that is improper, offensive, hazardous or damaging to any person or property and, in particular;
 - (a) Any language or activity of a sexual or gender-specific nature,
 - (b) Any language or activity that constitutes sexual harassment, and/or
 - (c) Any language or activity that creates a threatening, hostile or offensive working environment.
3. Abusive, disrespectful race-based, age-based, or otherwise discriminatory language and/or actions.
4. Any misuse or abuse of authority of intimidating or threatening behavior.
5. Harassment of another member or person doing business or seeking to do business with the tribe.
6. Any other conduct not specifically identified in this Ordinance that is likely to bring honesty, integrity and respect of the Tribe into question.

DEFINITION:

“Tribal Officials” means all persons elected, appointed by the Lumbee Constitution of the Lumbee Tribe of North Carolina.

“Employees/Staff” means all persons employed with the Lumbee Tribe of North Carolina.

“Committee Members” mean all persons serving on Tribal Committees.

“Contractors” mean all persons contracted to perform services for the Tribe.

“Volunteers” mean all persons performing volunteer functions in the Tribal Office or elsewhere for or on behalf of the Tribal Government.

“Tribal members” mean enrolled membership of the Lumbee Tribe of North Carolina.

WHEREAS, The procedures to file a complaint and sanctions for ethical standard of conduct shall be applicable to the provisions in Section 5 and Section 6 of this Ordinance.

THEREFORE, be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following amendment that shall be cited Section 9 Ethical Standard of Conduct additional provisions to the “Ethics and Conflict of Interest Ordinance.”

CERTIFICATION

THIS "PROPOSED AMEDEMMENT FOR ETHICS AND CONFLICT OF INTEREST ORDINANCE". CLL0-2013-1105-03, ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 15 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 7TH DAY OF NOVEMBER, 2013 BY A VOTE OF 12 YES, 3 NO, AND 5 ABSTENTION(S).

Charles Bullard

Nov 7, 2013

ATTEST CHARLES BULLARD

Vice Chairperson, Tribal Council of the Lumbee Tribe of North Carolina

Lamari Louise Mitchell

November 7, 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 CLLO-2013-1105-03 "PROPOSED AMEDEMMENT FOR ETHICS AND CONFLICT OF INTEREST ORDINANCE", duly posted on this the 13 day of November, 2013.

Cynthia L. Hunt

11/13/2013.

ATTEST/CYNTHIA L. HUNT

Tribal Clerk, Lumbee Tribe of North Carolina

Date

**ROLL CALL VOTE RESULTS TO ADOPT
CLL0-2013-1105-03 "PROPOSED AMENDEMENT FOR ETHICS AND CONFLICT OF
INTEREST ORDINANCE"**

12 YES, 3 NO, 5 ABSTENSION(S)

District 1:	Evan Davenport	YES
District 2:	Terry Hunt	NO
	Larmari Louise Mitchell	YES
District 3:	Lesaudri 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	ABSENT
	Terry Campbell	YES
District 8:	Steve Sampson	ABSENT
District 9:	Anita Hammonds Blanks	YES
District 10:	Terry Collins	EXCUSED
District 11:	Linda Revels	NO
District 12:	Danita Locklear	YES
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	EXCUSED

CERTIFICATION OF VETO OVERRIDE

THIS VETO OVERRIDE OF **“CLLO-2013-1105-03 PROPOSED AMENDMENT FOR ETHICS AND CONFLICT OF INTREST ORDINANCE”** WAS CERTIFIED AT A MEETING OF THE 21 SEATED MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 16 MEMBERS WERE PRESENT , CONSTITUTING A QUORUM, THIS 6TH DAY OF JANUARY, 2014 BY A VOTE OF 16 FOR, 0 AGAINST, _____ ABSTENTION(S).

ROLL CALL VOTE RESULTS TO ADOPT “CLLO-2013-1105-03 PROPOSED AMENDMENT FOR ETHICS AND CONFLICT OF INTREST ORDINANCE”

16 FOR, 0 AGAINST, _____ ABSTENTION(S)

District 1:	Evan Davenport	YES
District 2:	Terry Hunt	ABSENT
	Larmari Louise Mitchell	YES
District 3:	Lesaudri Hunt	YES
District 4:	Jonathan Locklear	ABSENT
District 5:	Bobby Oxendine	YES
	Charles Bullard	YES-TELECONFERENCE
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	ABSENT
District 12:	Danita Locklear	YES
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES

MCDUFFIE CUMMINGS

1-6-14

ATTEST: MCDUFFIE CUMMINGS

Date

Treasurer, Tribal Council of the Lumbee Tribe of North Carolina

LARMARI LOUISE MITCHELL

1-6-14

ATTEST: LARMARI LOUISE MITCHELL

Date

Secretary, Tribal Council of the Lumbee Tribe of North Carolina