LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2013-1105-03

DATE: November 5, 2013

"PROPOSED AMENDMENT 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 or 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


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

POSTING

This CLL0-2013-1105-03 "PROPOSED AMENDEMENT FOR ETHICS AND CONFLICT OF INTEREST ORDINANCE", duly posted on this the 13 day of November, 2013.

Cynthia L. Hunt

ATTEST/CYNTHIA L. HUNT
Tribal Clerk, Lumbee Tribe of North Carolina

11/13/2013
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: 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 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 INTEREST ORDINANCE” WAS CERTIFIED AT A MEETING OF THE 21 SEATED MEMBER TRIBAL COUNCIL OF THE LUMBEES 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, _0_ ABSTENTION(S).

ROLL CALL VOTE RESULTS TO ADOPT
“CLLO-2013-1105-03 PROPOSED AMENDMENT FOR ETHICS AND CONFLICT OF INTEREST ORDINANCE”
_16_ FOR, _0_ AGAINST, _0_ ABSTENTION(S)

| District 1:  | Evan Davenport  | YES |
| District 2:  | Terry Hunt      | ABSENT |
|             | Larnani Louise Mitchell | YES |
| District 3:  | Lesaundri 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 |
ATTEST: MCDUFFIE CUMMINGS  
Treasurer, Tribal Council of the Lumbee Tribe of North Carolina

Date 1-6-14

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

Date 1-6-14