

# JAR LINA INDIAN VOICE

"Building Communicative Bridges In A Tri-Racial Setting"

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25°

## A Front Page Editorial

### Serving on our Tribal Government appears to be extremely financially rewarding

Several issues concerning our tribal government concern us. Foremost among them is the apparent conflict of interest. Allegations are that Council members serve on the council and provide services to the council. For instance, Henry Clay Chavis, an electrician, is reported to work as an electrician for a local construction company which receives a great deal of work from the council. Also, Al Locklear is reported to

sell items to the contractors who are providing services. In addition, Rev. Jimmy Hunt, according to reports, also works in construction for our government. And there appear to be others. These councilmen, according to our sources, derive a great percentage of their income from working this way. They are not the only council members we understand who are benefitting financially from their service on the tribal council. These things ought not to be. Even if HUD has no problem with it, it wreaks of impropriety. It is a definite conflict of interest. Do you suppose that Henry Clay Chavis would vote against a construction company getting a bid on a job when he is personally going to gain financially from it? If this is so, and we are certain it is, we are disappointed in our council member, Henry Clay Chavis. We ask these council members and all others whose personal livelihood is affected in this way to give us an accounting of how much housing money has gone into their pockets as they purported to "serve" us. The tribal membership has a right to know. How much have you made, Rev. Jimmy Hunt, as you served us? We would be remiss in our duties if we did not, editorially speaking, ask these councilmen and all others who are doing the same thing, to resign immediately. They are in a position of being self serving and cannot adequately and fairly represent the people. This is so, especially when this is happening and they keep it a deep dark secret from the tribal membership.

We supposedly have a division in our housing program called "Emergency Services." This division is supposedly directed by Rev. Doug Locklear. (Later on we will speak to the overwhelming number of preachers who are gaining financially from our housing program.) Nevertheless, recently the Speaker of the Council, David Carter, ac-

ording to Tribal Administrator Leon Jacobs, was hospitalized. While he was hospitalized, his air conditioning unit went out, according to Jacobs. The staff went immediately and provided emergency services to the Speaker of the Council. If Mr. Carter had a true emergency, why was his application put ahead of those who have had emergency applications in for many months? We submit to you that serving on our tribal council has built in benefits. While we are sorry Mr. Carter has health problems, we cannot condone this kind of action. It is our understanding that he has health insurance and continues in his capacity as the Director of Emergency Services for Robeson County. We editorially ask Mr. Carter to step down because he has shown that his personal interests and wants take precedence over the needs of our elderly and handicapped. Again, we are disappointed in Mr. Carter. We think all council members should avoid this kind of selfishness. How do you explain your house being more important than the men and women who have applied who have hospital bills, no insurance, and cannot buy their medication? Again, we say we are truly sorry that Mr. Carter has health problems, but we believe financially he is far better off than those people who continue to live in substandard housing. We just do not believe Mr. Carter's house warranted moving ahead of people who are being rained on in their homes.

One other point, \$100,000 has been designated in the housing budget for travel for council members and staff. This is ridiculous. Our Chairman, many members of the council and staff persons as we prepare for press are in Florida at an NCAI meeting. We have two delegates to that event. Why this continued blatant waste of money? We submit to you that many of our elected officials and staff members are connected with our government, not to provide services to the people, but to "gain" whatever they can gain for themselves. Shame on you all. Traveling is not necessarily a bad thing, but when our elderly and handicapped are under-served, it should not be done. Someone should put a stop to this madness! Do we expect any of the men or women who are personally gaining financially to step down? No, we do not....but you know, hope is an echo...it ties itself out yonder, yonder...." (to quote Carl Sandburg).

...cil member to serve as chairman. This created an atmosphere for micro-management. Council members serving in the capacity of chairman of a committee began to act as if they had more authority than other Council members who had been elected in their districts. For example, there was a Housing Committee established. While it was intended for the committees to report to the full Tribal Council, countless rumors surfaced that the chairman of that committee, Council member Jimmy Hunt was involved in the daily decision making process of the tribe's housing program, and was not keeping the Council abreast of necessary information. It was further rumored that decisions with housing monies were not being properly addressed with the Tribal Council. It is highly possible that this type of action lead to the many problems we the tribal membership has had to endure for the last longest.

We would like to remind each member of the Tribal Council that no one person has any more authority than the other. Districts were not created to allow Council members to build chiefdoms within their districts. Each member has a constitutional responsibility to ensure that all tribal members are treated fairly, equally, and provided due process. We would ask the Council to review the numerous committees and dissolve all of those that are unnecessary and keep only those needed to provide adequate services. For example, there is a need for a committee on ordinances. This committee would be responsible for ensuring that any ordinance proposed by any Tribal Council member could be addressed properly and in accordance to the tribe's governing document. Further, we would ask the Council to disband the Housing Committee where each member serves, and give the staff who has been hired to administer the housing monies the opportunity to do their jobs. If there is a problem with staff, then it should be addressed by the appropriate branch, the Executive Branch.

Lastly, we would encourage the Executive Branch to provide a staff person for the Tribal Council. Currently they have no staff. There is a need for someone to be available to assist them to ensure that ordinances are properly worded, posted, and available to the tribal membership. This would provide an environment for both the Executive Branch and the Legislative Branch to operate separately as required by the Tribal Constitution, and would eliminate the need for Council members to be in the tribal offices seemingly micro-managing each day. In addition, this would provide the Council the opportunity to address important issues facing the tribe.

In conclusion, as we asked Tribal Chairman Jimmy Goins to pass an executive order dissolving the tribe's numerous non-profit corporations, we would also ask the Tribal Council to also dissolve all non-profits. This can be done by formal action of the Council. We make this request of the Council for the same reasons we asked the Chairman. The tribe wanted to be governed by a Constitution which provides the tribal membership with a voice in their government, and not by a private non-profit corporation with no members as we had in the past with LRDA. However, currently the mandate of the tribal membership was seemingly ignored by the forming of these non-profits, and the membership is right back where it was prior to the lawsuit which created the Lumbee Self-Determination Commission. This Commission was court ordered to determine what type of government, if any, the tribal membership wished to be governed by. It was clear the mandate from the Lumbee tribal membership was to form a tribal government based on a constitution.

I would also like to add in this week's report that one member of the tribal staff is concerned that these articles are unnecessary and will do nothing but create confusion. The purpose of these articles is to inform the tribal membership of their rights under the Constitution, as well as the seeming failure of the elected leadership to follow the mandate of Lumbee Tribal members. Next week we will take an in-depth look at the role of the Tribal Administrator.

by Cynthia L. Hunt, Enrolled Member  
Tribal News Correspondent

### New phone numbers for Carolina Indian Voice

Please make a note of the new phones numbers for the Carolina Indian Voice.

910-521-0796

910-521-0992

910-521-9154

And the new fax number:

910-521-7670

### FirstHealth to sponsor Pregnancy Fair Oct. 21

**PINEHURST** - Expectant parents always have lots of questions about prenatal care and childbirth. New parents probably have even more questions about the care of their newborn. Area residents can attend the upcoming FirstHealth Moore Regional Hospital Pregnancy Fair and get those questions answered.

"We feel it's important for mothers and the entire family to get a good head start," says Wanda Post, the hospital's assistant director of Women and Children's Services. "The Pregnancy Fair is an excellent way for people to learn the basics about childbirth and parenting. They also get the opportunity to ask experts about more detailed questions or concerns they may have."

The Oct. 21 program will be held from 5:30 to 7:30 p.m. at The Fair Barn 395 Magnolia Drive-Pinehurst. Experts on prenatal care, pediatrics, childbirth, mother-baby care, neonatal services, breastfeeding and other topics will be available to answer questions.

More than 30 vendors from throughout the Sandhills will also be present with a variety of giveaways to share.

There is no cost to attend the Pregnancy Fair, and registration is not necessary.

For more information, please call Wanda Post at (910) 215-5209 or Connie Jackson at (910) 215-2275.

### Religious Poetry Contest for Pembroke area

A \$1,000.00 grand prize is being offered in a special religious poetry contest sponsored by the New Jersey Rainbow Poets. Free to anyone who has ever written a poem. There are 50 prizes in all totaling almost \$5,000.00. The deadline for entering is October 30, 2004.

To enter, send one poem only of 21 lines or less: Free Poetry Contest, 103 N. Wood Ave., PMB 70, Linden, NJ 07036. Or enter online [www.rainbowpoets.com](http://www.rainbowpoets.com).

"We think great religious poems can inspire achievement," says Frederick Young, the organization's Contest Director. "Our desire is to inspire amateur poets and we think this competition will accomplish that. North Carolina has produced many wonderful poets over the years and we'd like to discover new ones from among the Pembroke-area grassroots poets."

### SRMC Support Groups meet monthly

Man-to-Man, a support group and lecture series for men who have been diagnosed with prostate cancer, meets the third Tuesday of each month at 7 p.m. in the Obbie Lee Community Education Room of the Gibson Cancer Center, 1200 Pine Run Dr., Lumberton. Call the Gibson Cancer Center at 671-5730 or the American Cancer Society at 1-877-227-9416 for more information.

A program to help individuals stop smoking will be offered beginning October 26 at 5:30 p.m. in the Fitness Services area of the Southeastern Lifestyle Center. The eight-week series is based in the American Lung Association's Freedom from Smoking program.

The cost for the entire series is \$75; however, a portion of the fee will be refunded after successful completion of the program. Advance registration is required. Space is limited. To register or for more information, call 738-5403.

Expectant parents are invited to attend new parent orientation on Tuesday, October 26 at 7 p.m. in the Assembly Room at Southeastern Regional Medical Center. A video presentation on labor and childbirth and a tour of the New Life Birthing Suites are included. Free admission and refreshments. For more information, call 671-5341.

Free health screenings will be held Friday, October 29 from 10 a.m. until 4 p.m. at Red Hill Housing Authority, 144-V Red Hill Road, in Maxton. Checks for total cholesterol/HDL, blood pressure and blood glucose will be offered to all adults 18 years and older. A finger stick is required. Results are available in five minutes. These free screens are sponsored by Robeson County Partnership for Community Health. Call 671-5595 for more information.

### Pembroke Elementary observes Fire Safety Week

During Fire Safety Week, members of the Pembroke Fire Department squad visited Pembroke Elementary School students. The purpose was to inform students of what procedures they need to follow during a fire. Volunteers told students how to prepare an escape plan in case of a fire. The plan should be practiced with an adult. Students learned to arrange a meeting place outside the home if a fire starts, and to call 911 at a neighbor's house after they exit the home.

Mr. Chris Lowry, Mr. Harvey Deese, Mr. Earl Dimery, and Charles Maynor shared many other important tips with all grades. In addition, Mr. Lowry displayed the clothing and other necessary equipment used during a fire. Students were able to ask questions and a selected few were able to view the inside area of the fire truck. Pembroke Elementary staff and students thank the Pembroke Fire Department for a job well done.

### "Terrific Kids" Program at Pembroke Elementary

Pembroke Elementary School students were recognized at the "Terrific Kids" Program on October 12, 2004. Each teacher presented six accomplishment awards to students in their class. Awards presented for the first nine weeks include:

- Most Improved Behavior
- Exemplary Behavior
- Most Improved Academics
- Exemplary Academics
- Extra Effort
- Terrific Kids.

Special thanks to the community and school for helping children "Bee All They Can Bee".

Indian Voice  
521-0796

### Report to the Tribal Membership

Last week we discussed the responsibilities of the Executive Branch of the Lumbee tribal government as defined by the tribe's governing document, the Constitution of the Lumbee Tribe of North Carolina. We reviewed the record of Tribal Chairman Jimmy Goins, who is the Chief Executive Officer of the tribe. Chairman Goins is responsible for making sure the Tribal Administrator, who is responsible for the day to day operation of the tribal office, is doing what he was appointed to do. Therefore, it is ultimately Chairman Goins' responsibility to ensure that the tribal staff, including the Tribal Administrator, is held accountable and performing tasks satisfactorily.

This week we will briefly discuss the constitutional responsibilities of the Lumbee Tribal Council, as well as review their actions in accordance to the Constitution. The Tribal Council is the Legislative Branch of the Lumbee tribal government.

Article VII Section 1 of the Constitution states: "The legislative power to enact ordinances of the Lumbee Tribe of North Carolina shall reside in the Tribal Council." This provision gives the Council the authority to adopt laws to govern the tribe. Their function is like that of the United States Congress. According to the tribe's web page, the Council has passed ordinances on tribal enrollment, the content and form of ordinances and resolutions, and an ordinance requiring tribal officials to take an oath of office. In accordance to the Constitution ordinances passed by the Council will not be effective until the ordinance has been posted for thirty calendar days following its enactment. This provision under Article VII Section 6 provides the tribal membership with the opportunity to review laws which have been passed by the Council. The section also requires the Tribal Council periodically publish a calendar of proceedings showing all action taken by the Council and the address and telephone number where copies of ordinances are available in a newspaper within the tribal territory. I am not aware if any list of Council proceedings being published in any local newspaper. However, copies of ordinances are posted at the Tribal Office located in Pembroke, and one can obtain copies there upon request.

Article VII Section 1 further states: "Such legislative power shall include: (a) the enactment of annual budgets, provided that budgets shall be enacted into tribal law following the conduct of tribal hearing(s)

on budgets proposed by the Tribal Chairperson..." We know that a budget was proposed in September and a hearing was held on that budget. However, the budget was not enacted into law. The Council instead passed a resolution, which is defined by tribal ordinance as a matter of temporary interest, adopting the budget. Therefore, their actions regarding the budget process may be questionable. There is a great need for the Council to adopt an ordinance on the acceptance of the budget, and the conduct of the public hearing on the budget. Also, there are several other important matters which should be addressed by ordinances.

Section 1 subsection (b) provides the Council with the authority to adopt "rules and regulations governing the Tribal Council's procedure and decorum, consistent with the provisions of this Constitution..." To comply with this constitutional provision, the Tribal Council did adopt an ordinance outlining how they will conduct meetings. For example, their meetings are to be conducted in accordance to Robert's Rules of Order.

However, it should be noted that on more than one occasion it is evident that members of the Council are not knowledgeable of those Rules to the extent that action they have taken could not be challenged. In addition, there are countless issues which the Council should address through the adoption of rules and regulations. Rules and regulations are important because they provide a clear understanding and purpose of the ordinances they have adopted. This too is part of their legislative responsibility. It is essential for the Council to have rules and regulations to explain each ordinance.

Article VII Section 1 subsection (c) requires the Tribal Council to confirm either the employment or dismissal of a Tribal Administrator. The Tribal Council did comply with this requirement in the dismissal of former Tribal Administrator Darlene Jacobs and the employment of current Administrator Leon Jacobs.

The current members of the Tribal Council were elected to office in the midst of much controversy surrounding the tribe's housing program. There were countless allegations of wrongdoing. One of the problems that seemingly contributed to these problems was the creation of committees. While the Constitution does not provide a provision for the creation of committees, the first members to serve on the Tribal Council felt the need to establish numerous committees on almost every conceivable subject with each committee having a coun-