

Commission of Indian Affairs  
 Quarterly Commission Meeting  
 Raleigh, North Carolina  
 September 10, 2010  
**Adopted 12-3-10**

Chairman Brooks called the meeting to order at 10:00 a.m. with a quorum present. Commissioner Furnie Lambert led the group in the Pledge of Allegiance and Commissioner Roy Maynor offered the Invocation.

**MEMBERS**

Coharie	Isabell Freeman Elliott	Present
Coharie	Don Carter	Absent
Cumberland County Association for Indian People	Roy Maynor	Present
Cumberland County Association for Indian People	Barbara Melvin	Present
Eastern Band of Cherokee	Patrick Lambert	Present
Guilford Native American Association	Ruth Revels	Present
Guilford Native American Association	Julia Phipps	Present
Haliwa Saponi	Ruth Ealing	Present
Haliwa Saponi	Jeffrey Anstead	Present
Lumbee	Larece Hunt	Absent
Lumbee	Furnie Lambert	Present
Lumbee	Donald Jones	Present
Meherrin	Chassidy Hall	Present
Metrolina Native American Association	Earlene Stacks	Present
Metrolina Native American Association	Barbara Locklear	Absent
Occaneechi Band of Saponi Nation	Sharn Jeffries	Present
Sappony	Shelia Wilson	Present
Triangle Native American Society	Brett Locklear	Present
Waccamaw Siouan	Lila Spaulding	Absent
Waccamaw Siouan	Shirley Freeman	Present
President Pro Tem Appointee	Paul Brooks	Present
Speaker of the House Appointee	Faline Locklear Dial	Present

**STATE OFFICIALS**

Department of Health and Human Services, Lanier Cansler, Secretary Designee: Maria Spaulding	Absent
Department of Labor, Cherie Berry, Commissioner Designee: Tina Morris Anderson	Present
Employment Security Commission Lynn R. Holmes, Chairman Designee: Patrice Fields	Present
Department of Administration, Moses Carey, Jr., Secretary Designee: June Michaux	Present
Department of Environment & Natural Resources, Dee Freeman, Secretary Designee: David Knight	Absent

**ADHOC HEALTH COMMITTEE CHAIR**

Robin Cummings - Absent

**ATTORNEY GENERAL'S OFFICE REPRESENTATIVE PRESENT**

LeAnn Martin, Assistant Attorney General

**STAFF PRESENT**

Greg Richardson, Executive Director

Sue Brewington, Workforce Development Coordinator

Missy Brayboy, Director, Health Initiative

Elk Richardson, Director, Workforce Investment Act Program

Sadie Barbour, Director, Community Services Program

Mickey Locklear, Director, Educational Talent Search

Kerry Bird, Program Coordinator, Teen Tobacco Use Prevention Program

**OTHERS PRESENT** - A list of others present is on file at the Commission office.

**SPECIAL GUEST – ELAINE MARSHALL, SECRETARY OF STATE**

Secretary Marshall thanked Representative Sutton for his leadership in the General Assembly. She offered her support to the Commission as it endeavors to advocate for the needs of the American Indian population of North Carolina.

**SPECIAL PRESENTATION TO REPRESENTATIVE RON SUTTON**

Chairman Brooks presented Representative Sutton with a plaque recognizing his years of service to the Commission of Indian Affairs and the Indian citizens of North Carolina during his tenure with the North Carolina General Assembly.

Representative Sutton stated that he was grateful for having the opportunity to serve the Indians of North Carolina in this capacity. He offered his continued support of the work of the Commission, the tribes and the urban organizations.

**SWEARING IN – REPRESENTATIVE RON SUTTON**

LeAnn Martin, AG Representative, commented on the ruling of Judge Morgan and noted that Chassidy Hall would be sworn in representing the Meherrin Tribe pending the decision on her most recent appeal.

Those being sworn in were: Jeffrey Anstead, Haliwa Saponi Tribe; Shirley Freeman, Waccamaw Siouan Tribe; Faline Locklear Dial, Speaker of the House Appointee; Isabell Freeman-Elliott, Coharie Tribe; Chassidy Hall, Meherrin Tribe; Barbara Melvin, Cumberland County Association for Indian People; Julia Martin Phipps, Guilford Native American Association; Furnie Lambert, Lumbee Tribe of North Carolina

## **ETHICS STATEMENT**

Greg Richardson read the Ethics Statement on behalf of Chairman Brooks. No conflicts of interests were reported.

## **APPROVAL OF MINUTES**

Commissioner Furnie Lambert made a motion, seconded by Commissioner Roy Maynor, that the June minutes be approved with noted changes. Motion carried.

## **ELECTION OF OFFICERS**

Commissioner Furnie Lambert made a motion, seconded by Commissioner Roy Maynor, to keep the current slate of officers (Commissioner Earlene Stacks, Vice Chair; Commissioner Lila Spaulding, Secretary/Treasurer). Motion carried.

## **COMMITTEE ASSIGNMENTS**

Chairman Brooks asked that the members to let him know the committees they would like to serve on.

## **EXECUTIVE DIRECTOR REPORT – GREGORY RICHARDSON**

Items were discussed as follows:

Budget Reduction Options for FY 2011-13: All State agencies must develop 5%, 10% and 15% reductions based on recurring budget for FY 2011-12.

Indian Education Listening and Learning Session: Governor Perdue issued a Proclamation proclaiming August 5<sup>th</sup> as “Indian Education Day in North Carolina”. Approximately 130 Indian educators and tribal leaders participated in a meeting with representatives from the US Department of Education. A follow-up session is scheduled for November 19<sup>th</sup>.

National Congress of American Indian Conference: Scheduled to be held in North Carolina in 2013. We need to begin gearing up for this event – speakers, dancers, etc. This is a very large conference and an opportunity for NC to showcase our population. Tribes and organizations are encouraged to send representatives to the NCAI conferences to network with national tribal leaders.

2010 Legislative Agenda: No items adopted during the short session of the General Assembly.

Meherrin Indian Tribe Issue – LeAnn Martin: As instructed, an appeal regarding the decision of Judge Morgan has been filed with the NC Court of Appeals. She will report updates as this appeal process continues. Additionally, the Hertford County Case is still pending between the two Meherrin groups – the commission is not a party to that action.

Riverside Golf Course: Discussion is ongoing within the Department regarding Riverside Golf Course. They are now on a month-to-month lease. The staff will continue to work with the State Property Office on this issue.

American Indian Caucus: The 5<sup>th</sup> meeting of this group was held at the General Assembly on August 21. The group holds round table discussion with Tribal Chiefs and Chairs to discuss state Indian affair issues. The next meeting is scheduled for September 25 at the General Assembly. Discussion on the creation of a PAC will be discussed during this meeting.

Personnel Issues: The Administrative Secretary position is still vacant. Applications are being reviewed and interviews will be scheduled in the next few weeks. Four other commission employees are on extended sick leave.

Quarterly Reports: Included in Board Packet

Action Items: Included in Board Packet

Indian Heritage Month: Scheduled for November 19<sup>th</sup> (school day) and November 20<sup>th</sup> (Kick-Off Celebration) at the NC Museum of History in Raleigh, NC. Kerry Bird commented that the poster this year will be a tribute to Veterans. Tribes and organizations have been asked to submit a Veteran, past or present, to be included on the poster. September 28<sup>th</sup> is the deadline for submission of this information. In addition, a photo display will also be created for display at the IHM celebration. More information will be forwarded through each tribe and organization United Tribes designee. Sponsorship letters will be distributed to the Indian members of the commission requesting support for the IHM celebration.

Community Services Certification: The Commission's Community Service Program has undergone review by the NC Department of Health and Human Services, Division of Aging and Adult Services. We have received certification of partial compliance with In-Home Aide Services standards for the level of service provided (In-Home Aide Home Management Only Level I). This certification will be in effect for the period September 1, 2010 – August 31, 2011.

There was a question on whether the items submitted for the 2009 Legislative Agenda that did not receive consideration would be included on the 2010 Legislative Agenda. Mr. Richardson noted that this would be the case if instructed by the Commission to include them.

Commissioner Brett Locklear commented on the upcoming state budget cuts. He noted that the commission needs to look at marketing the fact that the Commission brings revenues into the state so that we are not required to take such drastic budget cuts as proposed.

Cultural Center Board Litigation: Ms. Martin reported that the Cultural Center has filed a petition for judicial review in Wake County Superior Court – “Motion for Summary Judgment”. They are questioning the constitutionality of the legislation that provides that the Commission designates the board of directors of the Cultural Center, a nonprofit corporation. A November 8<sup>th</sup> hearing is scheduled in this matter. She noted that, in her opinion, regardless of whether the legislation is constitutional, it further provides that failing to follow that legislation by the Cultural Center Board voids the 99 year lease.

Tuscarora Nation of North Carolina Petition for State Recognition: Ms. Martin reported that her office has been asked for a formal opinion regarding the Tuscarora Nation of NC petition. The Tuscarora Nation of New York has forwarded correspondence opposing North Carolina petitioning groups using the Tuscarora name. Investigation is underway regarding the legal implications of the Tuscarora Nation of New York's position.

### **AdHoc Land Trust – Commissioner Furnie Lambert, Chair**

Commissioner Lambert reported that a resolution was submitted to the Commission in December regarding land in Red Spring, North Carolina to be placed in trust by the Lumbee Tribe. It is hoped that feedback regarding this resolution will be forthcoming soon.

### **Veterans Committee – Commissioner Furnie Lambert, Chair**

The Veterans' Ball held on June 26 was very successful. Special guest speaker Major General Tony Taugba spoke to those in attendance regarding national and state issues of interest to the veterans and their families.

The Community Based Outpatient Clinic located in the Comtec Community is scheduled to open January 1, 2011. This is a 7,500 square foot facility.

The Lumbee Warriors will be Presenting Colors during World Outlaws Race on November 6th at Lowes Motor Speedway.

### **AdHoc Legislative Committee – Commissioner Roy Maynor, Chair**

Commissioner Maynor reported that the committee did not meet this quarter. He requested that the 2011 legislative agenda requests be submitted by November 15<sup>th</sup> so that information can be compiled and submitted to the Commission at the December 3<sup>rd</sup> meeting. Legislative agenda items from the short session will be resubmitted in the long session.

Christi Agner, Legislative Liaison, noted that one of her responsibilities is bill tracking. The next session of the General Assembly will begin on January 26<sup>th</sup>. She commented on the possibility of handling legislative agenda items submitted through other resources and not going through the legislative process. She will be working with the staff regarding this issue.

Chairman Brooks asked that someone from the Department come to the December meeting to explain the indirect costs that could possibly go into the administrative part of the Commission budget. This is from a request by Commissioner Brett Locklear.

### **2010 STATE ADVISORY COUNCIL ON INDIAN EDUCATION – ANNUAL REPORT**

Benita Tipton, High School Science Consultant, NC Department of Public Instruction reviewed the 2010 SACIE report. Recommendations from the report included: 1) Partner with the NC Commission of Indian Affairs to host an Indian Education Summit during the 2010-11 school year; 2) Establish a task force, to include knowledgeable LEA practitioners, university and college faculty members, and other individuals to study the underrepresentation of American Indian students identified and served as Academically and Intellectually Gifted (AIG); 3) Commission a study to analyze the patterns and trends of enrollment of American Indian students in Advanced Placement (AP) courses to identify issues, concerns, accomplishments, barriers, course delivery, and implementation and future plans/activities; 4) Partner with states not only with significant American Indian populations, but also those that have a comprehensive American Indian curriculum to ensure the integration of culture and heritage into all aspects of the curricula.

**ANNUAL REPORT - OFFICE OF ARCHAEOLOGY – DELORES HALL, DEPUTY STATE ARCHAEOLOGIST**

Ms. Hall provided the Commission with the first annual report of the Office of Archaeology. A significant accomplishment of the office was the listing of the Neoheroke Fort Site in the National Register of Historic Places. This is a 37 acre site and the last stronghold of the Lower Tuscarora during the Tuscarora War period (1711-1715) and the location of the last major battle of that conflict.

It was suggested that the Commission and the Office of State Archaeology organize a focus group or roundtable discussion regarding American Indian archaeological issues.

Archaeology Day is scheduled for September 25 in conjunction with the Science Symposium in Chapel Hill.

Ms. Hall commented that the Office of Archaeology would be available to assist the tribes with archaeology information that they may have as they work toward federal recognition. She noted that the Research Laboratory at the University of North Carolina at Chapel Hill would have more of this type of information.

**Health Committee – Dr. Robin Cummings – Chair – Absent**

Greg Richardson reported for Dr. Cummings, that the Indian Health Board is moving forward with their 501c3 application. They have received their first funding from the Blue Cross, Blue Shield Foundation.

Missy Brayboy commented on the Health Reform Bill. The state will make available the Education part of the bill in 2012. The Medicare part will be made available the following year. It was recommended that this issue be discussed in more detail at the next meeting. The entire Health Reform Bill can be accessed through the internet.

**Economic Development Committee – Commissioner Ruth Revels, Chair**

Commissioner Revels reported that the Committee did not meet this quarter.

She reported that Kimberly Hammonds, Economic Developer for the Commission, had submitted her report and she encouraged the members to read the report carefully for information relative to students in higher education.

Elk Richardson reported that his term on the Native American Programs Advisory Council with the US Department of Labor expires October 9<sup>th</sup>. Commissioner Patrick Lambert made a motion, seconded by Commissioner Shelia Wilson, that Elk be nominated for reappointment. Motion carried.

Commissioner Ruth Revels reported that the NC Indian Economic Development Initiative has received funding as follows: \$100,000 from the General Assembly; \$75,000 from Golden Leaf Foundation; \$75,000 from the Rural Center; and smaller grants from BB&T and the Economic Initiative of North Carolina.

The Initiative Bylaws have been amended to include that the Initiative Board can name their own Chair. The next meeting of the Board is scheduled for October 28 at the Initiative office. Several recognition presentations will be given during this meeting. Commissioner Revels will be resigning as the chair of the Initiative at this meeting and a new chair will be appointed. Also new representatives will be seated.

#### **Cultural/Religion Committee – Commissioner Shirley Freeman, Chair**

Chairman Brooks appointed Commissioner Freeman as the new Chair of this committee.

#### **Recognition Committee – Commissioner Larece Hunt, Chair – Absent**

No Report Given

#### **Human Resources Committee – Commissioner Ruth Ealing, Chair**

Commissioner Ealing reported that the Committee did not meet this quarter.

Mr. Richardson commented on the fact that HUD regulations have been changed, specifically requiring that the commission have an independent audit for the Section 8 Housing program. This has cost the commission approximately \$40,000. Two staff members are on extended sick leave at this time, which is causing a major problem in the housing program. Temporary employees have been hired and this has also cost the program.

#### **Education Committee- Commissioner Earlene Stacks – Chair**

Commissioner Stacks reported that the American Indian Fund did not receive any contributions during this quarter. There is approximately \$25,000 in the fund at this time. These monies are used for books and supplies for students enrolled in colleges and universities.

Latesha Middleton, secretary for the Talent Search Program, is on medical leave. Conseula Richardson, counselor for the program, has accepted a position with Wesleyan University. This position will be posted on the vacancy list in the near future.

Twelve Talent Search students attended the UNITY Conference in San Diego, California. Three students are UNITY Executive Members and one student was elected as the southeastern regional representative to the board. In Addition, Matthew Richardson won one of the two \$1,500 Golda Cook Memorial Scholarship awarded at the conference.

#### **Indian Child Welfare Committee –**

Dr. Kidwell reported that Ms. Julia Phipps and Ms. Marie Spaulding were appointed co-chairs of the Committee. Three sub-committees have been created: Legislative and Policy met to discuss a request from the House Study Committee to Preserve the Culture and Customs of Indian Children. Input was sought for possible changes to the state law that would give Indian children from state recognized tribes similar consideration as children from federally recognized tribes under the federal Indian Child Welfare Act; Training has identified several national organization for possible training opportunities for members of the Standing Committee so they can be effective in explaining child welfare issues; Sustainability is charged with identifying potential

funding sources to continue the work of the Standing Committee. Ultimately, we would like to see an office with staff.

An outcome of the Standing Committee's work is the development of Department of Social Service consent forms which will allow parents to release information to tribe and allow DSS workers to contact tribes without parent consent. DSS is seeking comment from the Standing Committee in order to get these forms approved for use by social workers. The Standing Committee's future plans are to continue discussion of the use of MOU as a way to facilitate cooperation between tribes and county DSS workers.

The Committee will continue to serve as a liaison between the Commission and the House Study Committee on legislative issues.

The Committee, with assistance of Chairman Brooks and Mr. Richardson, will communicate with tribal leaders to get tribal resolutions in support of the Committee's work. The Commission members were asked to work with their tribal councils to get this support.

The next meeting of the Standing Committee is September 23 from 1:00 – 4:00 at the state Judicial Center's office in Cary.

### **Items from Commission Members**

There were changes to the Standing Committees. Staff will edit the Committee list and forward to the members. The Bylaws will need to be reviewed to ensure that the committees have the correct number of members.

Contact information for the legislature will be distributed to the members.

Mr. Richardson reported that the Flower Fund is used for flowers, etc. for the immediate family of Commissioner Members. Dues are \$6 per quarter. Commissioner Furnie Lambert made a motion, seconded by Commissioner Maynor, to use the Fund to pay for the plaque presented to Representative Sutton. Motion carried.

Mr. Richardson reported that the Caucus is working on Indian voter registration. Their goal is a 10% registration increase by the end of November. Tribes and organizations are being asked to work on this initiative. You can work with your local Board of Elections for training and forms for registration efforts.

Commissioner Revels reported that United Tribes gave 14- \$500 scholarships to Indian high school seniors, 1 to an upper classman, and 1 to a student attending a two year school. She encouraged the tribes and organizations to sponsor scholarships at the March Unity Conference in 2011.

Commissioner Revels reported that Dr. Scheirbeck is at home after her stroke and the doctor's have said that, short of a miracle, she probably will not regain any of her abilities to walk, talk, read, or write.

Commissioner Shirley Freeman reported that the contracts for Phase I of the Waccamaw Siouan Tribe new tribal building have been signed and work should begin in the very near future.



Commissioner Freeman reported that the tribe is tutoring approximately 60 students a week at the tribal offices.

Commissioner Furnie Lambert made a motion, seconded by Commissioner Patrick Lambert (I heard a bunch of folks second the motion and just chose one), that Mr. Richardson be authorized to attend the upcoming NCAI conference - November 14-19. Motion carried.

There was discussion on the 40th anniversary of the Commission. Chairman Brooks appointed Commissioner Brett Locklear as the chair of the planning committee. Other members are: Commissioner Stacks, Commissioner Ealing, Commissioner Maynor, Commissioner Revels, Commissioner Wilson, Commissioner Patrick Lambert, Tyler Thomas (Masters Program at UNC Greensboro) and Brandi Brooks. Ms. Earlene Stacks stated that Paul appointed her Chair at the June Meeting. This is true, but at the September meeting he said he was would give her a break and appointment Brett as the Chair and the members as listed.

Commissioner Furnie Lambert made a motion, seconded by Commissioner Stacks, that the meeting be adjourned.

Meeting Adjourned at 3:00 p.m.

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Lila Spaulding, Secretary/Treasurer

ACTION ITEMS  
 SEPTEMBER, 2010  
 NC COMMISSION OF INDIAN AFFAIRS  
 QUARTELY MEETING

ACTION	ASSIGNMENT	COMPLETE	ONGOING
Motion that the June minutes be approved with noted changes.	Greg Richardson	X	
Motion to keep the current slate of officers (Commissioner Earlene Stacks, Vice Chair; Commissioner Lila Spaulding, Secretary/Treasurer).	Paul Brooks	X	
Commissioner Maynor requested that the 2011 legislative agenda requests be submitted by November 15 <sup>th</sup> so that information can be compiled and submitted to the Commission at the December 3 <sup>rd</sup> meeting.	Roy Maynor Greg Richardson		X
Chairman Brooks asked that someone from the Department come to the December meeting to explain the indirect costs that could possibly go into the administrative part of the Commission budget. This is from a request by Commissioner Brett Locklear.	Greg Richardson		X
It was suggested that the Commission and the Office of State Archaeology organize a focus group or roundtable discussion regarding American Indian archaeological issues.	Greg Richardson		X
Motion to nominate Elk Richardson for reappointment to the Native American Programs Advisory Council with the US Department of Labor. His term expires October 9 <sup>th</sup> .	Greg Richardson	X	
Contact information for the legislature will be distributed to the members. On hold due to November election. Information will be distributed during the next quarter.	Greg Richardson		X
Motion that \$65.65 of the Flower Fund be used to pay for the plaque presented to Representative Sutton.			X
Motion that Greg Richardson be authorized to attend the upcoming NCAI conference - November 14-19.	Greg Richardson	X	