

Commission of Indian Affairs

Quarterly Commission Meeting

Raleigh, North Carolina

September 9, 2011

Chairman Brooks called the meeting to order at 9:00 a.m. with a quorum present. Invocation: Commissioner Roy Maynor. Pledge of Allegiance: Commissioner Furnie Lambert

ROLL CALL

MEMBERS

Coharie	Isabel Freeman Elliott	Present
Coharie	Charlene Jacobs	Present
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	Present
Lumbee	Furnie Lambert	Present
Lumbee	Donald Jones	Present
Meherrin	Chassidy Hall	Present
Metrolina Native American Association	Jessie Jacobs	Present
Metrolina Native American Association	W. David Baucum	Present
Occaneechi Band of Saponi Nation	Sharn Jeffries	Present
Sappony	Dorothy Crowe	Present
Triangle Native American Society	Brett Locklear	Present
Waccamaw Siouan	Elton Ray Jacobs	Present
Waccamaw Siouan	Shirley Freeman	Present
President Pro Tem Appointee	Paul Brooks	Present
Speaker of the House Appointee	Faline Locklear Dial	Present
NCNAYO Representative	Deitrick Richardson	Absent
NCNACOHE Representative	Toni Henderson	Present

STATE OFFICIALS

Department of Health and Human Services, Lanier Cansler, Secretary	
Designee: Maria Spaulding	Present
Department of Labor, Cherie Berry, Commissioner	
Designee: Tina Morris-Anderson	Present
Employment Security Commission Lynn R. Holmes, Chairman	
Designee: Debra Derr	Present
Department of Administration, Moses Carey, Jr., Secretary	
Designee: June Michaux	Present

Department of Environment & Natural Resources, Dee Freeman, Secretary
Designee: David Knight

Absent

AD HOC HEALTH COMMITTEE CHAIR

Robin Cummings - Present

ATTORNEY GENERAL'S OFFICE REPRESENTATIVE

LeAnn Martin, Assistant Attorney General - Present

STAFF PRESENT

Greg Richardson, Executive Director
Sue Brewington, Workforce Development Case Manager
Missy Brayboy, Director, Health Initiative
Elk Richardson, Director, Workforce Investment Act Program
Sadie Barbour, Community Developer
Kerry Bird, Program Coordinator, Teen Tobacco Use Prevention Program
Kim Hammonds, Director, Economic Development
Mickey Locklear, Director, Educational Talent Search
Melody Gates, Director, Section 8 Housing Choice Voucher Program

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

SWEARING IN – LT. GOVERNOR WALTER DALTON

Those sworn in included: Dorothy Crowe, Sappony Tribe; Elton Ray Jacobs, Waccamaw-Siouan Tribe; Jessie Jacobs, Metrolina Native American Association; Paul Brooks, President Pro tem Appointee; Larece Hunt, Lumbee Tribe of NC; Sharn Jeffries, Occaneechi Band of Saponi Nation, and Ruth Revels, Guilford Native American Association.

ETHICS STATEMENT

Greg Richardson read the Ethics Statement on behalf of Chairman Brooks. Conflicts resolved during meeting.

APPROVAL OF AGENDA AND PREVIOUS MEETING MINUTES

Motion to approve: Commissioner Larece Hunt, second Commissioner Furnie Lambert and carried

SELECTION OF OFFICERS

Commissioner Furnie Lambert nominated Commissioner Shirley Freeman as vice-chair. Motion was seconded by Commissioner Barbara Melvin. Motion to close nominations made by Commissioner Roy Maynor, seconded by Commissioner Jeffrey Anstead. Acclamation vote.

Commissioner Larece Hunt nominated Commissioner Faline Dial as secretary/treasurer. Motion seconded by Commissioner Furnie Lambert. Motion to close nominations made by Commissioner Barbara Melvin, seconded by Commissioner Larece Hunt. Acclamation vote.

Chairman Brooks requested that the members forward their requests for committee assignments.

EXECUTIVE DIRECTOR REPORT – GREGORY RICHARDSON

The Executive Directors' Report, which is a summary of activities during the quarter, was distributed. (Attachment 1)

The Commission's budget was approved at \$425, 000 for the current fiscal year. No state-funded positions were lost.

There was discussion regarding a proposed resolution calling for an amendment to the National Congress of American Indians making state-recognized Indian tribes ineligible to hold membership in the organization. The membership was encouraged to attend the upcoming NCAI conference and to voice their opposition to the amendment.

General Accounting Office (GAO) Study: During the previous NCAI conference there was discussion on this study. The objective of the study is to determine: (1) which federal agencies and programs are explicitly authorized to provide funding to non-federally recognized tribes and for what purpose; (2) for fiscal years 2006-2010, how much federal funding did non federally recognized tribes receive by agency and program, and to what extent eligibility was based on their status as Indian groups. This is at the request of the House Subcommittee on Indian and Alaska Native Affairs, Committee of Natural Resources. Conference calls were held on July 28 with tribal leaders and again on August 23 with Senator Kay Hagan's staff to discuss this issue. NCAI next meeting is scheduled for October - all non-federally recognized tribes need to be at this conference.

Commissioner Larece Hunt made a motion that the Executive Director attend the NCAI conference representing the Commission. Motion seconded by Commissioner Jeffrey Anstead and carried.

Riverside Golf Course Update: The Pro shop was destroyed on July 20, 2011, and has been deemed a total loss. The SBI is conducting an investigation, and arson is suspected. The Golf Course had been leased to the Lumbee Tribe on a short-term basis. New plans will be made with Lumbee Tribe.

Cultural Center Update: There has been discussion on the management system for the Cultural Center. Legislative recommendation will be forthcoming. LeAnn Martin commented that broad legislation is being looked at to allow the property to be gifted, sold, etc.

Recommendations for Appointments 2011-2012

Recommendations for Appointments were distributed. (Attachment 2) Commissioner Charlene Jacobs made a motion, seconded by Commissioner Isabel Freeman Elliott, to approve the recommendations. Motion carried. Commissioners Barbara Melvin and Elton Ray Jacobs abstained from voting on Indian Housing Authority nominations.

Meherrin Update: The Court of Appeals has allowed the Commission's appeal to go forward. On the 24th of August a Brief was filed on behalf of the Commission. A Brief for the Meherrin should be filed September 26. The Court of Appeals will rule on whether an oral hearing will be held after that time.

Adhoc Legislative Committee: Commissioner Brett Locklear moved, seconded by Commissioner Isabel Freeman Elliott, that this committee become a Standing Committee. Motion carried.

COMMITTEE REPORTS:

40TH ANNIVERSARY – COMMISSIONER BRETT LOCKLEAR, CHAIR

The Committee met via teleconference July 21, 2011. Commissioner Brett Locklear encouraged all Commission members who were appointed to the committee to get involved. A Fundraising Campaign letter has been composed with various sponsorship options. It has been sent to Commissioners – please contribute or get tribes or others to assist with raising this money. Commissioners were reminded of their \$100 pledge from the previous meeting. Because of budget issues there will only be a Banquet. An Indian Summit will be planned at a later date. To date, \$1820 has been raised. It was decided by the Committee to move forward with the Hall of Fame. The location for the Banquet, scheduled for November 18th, has been secured with Edenton Street United Methodist Church in Raleigh.

Commissioner Revels recommended that a list of items or duties needed be forwarded to the Commission membership.

ADHOC LAND TRUST – COMMISSIONER FURNIE LAMBERT, CHAIR

The Committee did not meet this quarter and no action is required at this time.

ADHOC LEGISLATIVE– COMMISSIONER ROY MAYNOR, CHAIR

The Committee did not meet this quarter and no action required at this time. Legislative Agenda items should be submitted by October 15th.

CULTURAL/RELIGION– COMMISSIONER SHIRLEY FREEMAN, CHAIR

The Committee did not meet this quarter and no action is required at this time.

ECONOMIC DEVELOPMENT– COMMISSIONER RUTH REVELS, CHAIR

Elk Richardson gave an update on the activities of the Commission's WIA program. The quarterly report was included in the board packet.

Elk also reported on the upcoming Eastern & Mid-Western Multi-Regional INA-WIA Employment and Training Conference scheduled for September 27-29 in Myrtle Beach, South

Carolina. He encouraged all North Carolina Indian tribes, organizations, and WIA program grantees to have representation at the conference. Commission WIA staff has been assisting with the plans for this conference and will be in attendance.

There was discussion on whether the Commission's and the other state grantees WIA funding might be affected by possible cuts during the 2012 session of Congress. It was noted that it is very possible that we will be affected.

Kim Hammonds gave an update on the activities of the SUNS Program. The quarterly report was included in the board packet. To date, 49 students have applied for services and ten students graduated.

Tony Hayes reported that the NC Indian Economic Development Initiative will be celebrating 10 years of operation. An Open House is scheduled for October 27, and everyone is invited.

On July 28, the Sequoyah Fund, the Cherokee Business Development Center, and the N.C. Indian Economic Development Initiative co-sponsored the "Native Pathways Collaborative 2011 - Cherokee Business Summit and Expo.

The Initiative challenged the City of Raleigh's recent decision to exclude American Indians from their minority program. Because of the efforts of the Initiative and the American Indian business they serve, the Raleigh City Council approved a reversal of the changes. With a unanimous vote on September 6, American Indians and Asian Americans have been reinstated into the program as eligible minority groups.

The Initiative will be working with the Democratic National Convention planned for Charlotte for opportunities for American Indian businesses during this event. More information will be forthcoming.

NCIEDI awarded \$70 million dollars in contracts in one week to Indian businesses. These are around metro areas.

Department of Transportation (DOT) Disparities Study: Dedicated staff has collected data on Indian contracts within the DOT. The results from this study were negative. We are looking to get several seats at the table to discuss this issue. DOT is going to put out a new RFP for a vendor to do another disparities study - we will be part of that process. Anyone looking for DOT work should contact Kelcy Balance at the Initiative for information.

There was discussion on the "Farmers Class Action Suit". Meetings have been held around the country to provide assistance to American Indian farmers and ranchers who wish to file a claim in the \$760 million Keepseagle class action settlement. The settlement resolves a lawsuit claiming that the U.S. Department of Agriculture discriminated against American Indians in farm loan applications and servicing. Class members who want to file a claim for cash and loan forgiveness must file their claims by Dec. 27, 2011. The Initiative offered their services to any Indian farmer needing assistance with this issue.

EDUCATION - COMMISSIONER BRETT LOCKLEAR – INTERIM CHAIR

Commissioner Brett Locklear reported that the Committee met via teleconference on August 25. Minutes from that meeting are attached. (Attachment 3)

The American Indian Fund has established itself as a 501c3 organization and will not be included in the Education Committee's report.

There was discussion on the License Plate fees. Staff was requested to monitor the general account for funds from the license plate fees which were earmarked for the American Indian Fund.

There was discussion on the Elementary and Secondary Education Act – HB 2445: If passed funds will not be earmarked for American Indian Education. Action items from the Committee are as follows:

1. The Commission will issue a position statement in opposition of HB 2445 and the adverse implications it will have on American Indian students in the state.
2. The Commission will petition Governor Purdue to issue a position statement on the diverse implications of HB 2445, the potential loss of funding and services to school districts that support American Indian youth, and encourage our congressional leaders to support this opposition.
3. The Commission will request a formal resolution from the State Advisory Council on Indian Education (SACIE) to issue a position of opposition to HB 2445. SACIE will encourage all Title VII Indian Education Programs in the state to submit similar resolutions/statements on HB 2445.
4. Above items amended to ask the Commission, Governor Purdue, SACIE, and Superintendent June Atkinson to each write a position statement in opposition to HB 2445.

Motion carried.

The following motion was also submitted by the Committee:

- The Commission of Indian Affairs appealed to President Obama to appoint a non-federally recognized tribal member to the National Advisory Council on Indian Education (NACIE). Further, the Commission submitted a list of qualified individuals to be considered for this appointment. Motion carried.

Toni Henderson reported on NCNACOHE. Their first meeting was held August 11th with 7 schools represented. Eighteen other schools are interested in joining. The next meeting is September 17th in Raleigh.

Motion from Commissioner Brett Locklear: The commission take action and contact the Study Committee on American Indian Mascots and ask for representation of American Indians, or the Commission, on the committee. Motion seconded by Commissioner Larece Hunt and carried.

The next Education Committee meeting is tentatively scheduled for November 3rd.

HEALTH & COMMUNITY SERVICE - DR. ROBIN CUMMINGS - CHAIR

The Committee met on August 26. Minutes from that meeting are attached. (Attachment 4)
There were no action items from the Committee at this time.

Dr. Cummings introduced Edgar Villanueva, the new Executive Director of the NC Indian Health Board. The Board was awarded a \$160,000 grant from the Kate B. Reynolds Foundation for staff development and programming. The Committee recommended that he be added as a member of the Health Committee.

Kerry Bird and Missy Brayboy spoke regarding the Youth Tobacco Survey. The Commission passed a resolution in March supporting a 2012 survey of Indian students. This request has been made and the Tobacco Control Branch has shown interest in the supplemental survey. The TCB is asking the Commission to encourage schools serving Indian students to participate. It was suggested that the Commission approach the Kate B. Reynolds Foundation for support.

The Commission is expecting funding in the amount of \$175,000 from the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services with the NC Department of Health and Human Services.

There is a vacancy on the Minority Health Advisory Council and the committee feels the Commission should pursue the appointment of another American Indian. Mr. Villanueva will look into the procedure for obtaining an appointment by the Senate Pro Tempore.

HUMAN RESOURCES– COMMISSIONER RUTH EALING, CHAIR

The Committee did not meet this quarter and no action is required at this time.

STANDING COMMITTEE ON INDIAN CHILD WELFARE– COMMISSIONER JULIA PHIPPS, CHAIR

The Committee met via teleconference on July 28 and September 1. Minutes from those meetings are attached (Attachment 5). The committee has been focusing on the upcoming “Tribes, Child Welfare and Court Partners Gathering” training session scheduled for September 22 & 23. They are requesting two representatives from each tribe and organization to attend. Resources are available that will provide lodging, meals and gas mileage to attend the “Gathering”. To register, go to <http://www.nccourts.org/CIP/Tribes/Reimbursements.asp>.

RECOGNITION– COMMISSIONER LARECE HUNT, CHAIR

The Committee did not meet this quarter and no action is required at this time.

VETERANS– COMMISSIONER FURNIE LAMBERT, CHAIR

The Community Based Outpatient Clinic has been open for 9 months – more than 1100 patients are utilizing the facility. It provides primary care services for Veterans in the Lumberton/Pembroke metro area. Handicapped Accessible: Full and easy access for all Veterans

Personal Care: Highly qualified primary care providers, specialty care referrals to the Fayetteville VA Medical Center. Laboratory: Blood drawing services available
Prescriptions: Routine prescriptions processed through the mail or [MyHealthVet](#).

The Annual Veterans Ball was held on June 25th with over 200 people attending. Major Ron Oxendine was the guest speaker. The next ball is scheduled for June 30th, 2012. Someone representing the Navy will be the featured speaker.

Veterans Services Office in Robeson County assists veterans and their dependents in filing claims for compensation, pension, medical, home loans, VA insurance, burial benefits and hospital enrollment. It assists children of veterans in making applications for the NCDVA Scholarship, and advocates for veterans and their dependents in all aspects of Federal, State and Local Government benefits programs. To date, \$27 million dollars has been brought into the community.

The Lumbee Color Guard will be participating in the following upcoming events: Indian Heritage Month Celebration, Metrolina Native American Association Powwow, Eastern & Mid-Western Multi Regional INA-WIA Employment and Training Conference.

NEW BUSINESS:

ITEMS FROM COMMISSION MEMBERS

Coharie Powwow - September 9-10, 2011

Commissioner Brett Locklear submitted a Resolution in support of the 40th Anniversary of the NC Commission of Indian Affairs from the Phi Sigma Nu Fraternity, Inc. (Attachment 6)

Waccamaw Siouan Powwow - October 20-22, 2011

Chairman Brooks authorized a Resolution of Appreciation for Earlene Stacks, Lila Spaulding, and Sheila Wilson for their time on the Commission. Staff will prepare these resolutions.

Commissioner Faline Locklear Dial and Commissioner Larece Hunt will be authorized signers for the Flower Fund Account.

Commission Retreat – Greg Richardson reported that a retreat is needed to train new Commission members. He asked for recommendations for topics, time, and place. More information will be forthcoming

ITEMS AND ADJOURNEMENT

Future Meeting Dates:

➤ November 18, 2011

Meeting Adjourned at 2:30 p.m.

Faline Locklear Dial, Secretary/Treasurer

NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS

Annual Meeting
Executive Director's Report
North Carolina Association of Educators Building
700 South Salisbury Street
Raleigh, NC 27601

September 9, 2011

“Celebrating 40 Years of American Indian Advocacy”

This report is a brief summary my work activities and a resource for Commission members in terms of reporting information to their respective Tribal Council or Board of Directors.

I. Budget Update

Legislative Appropriations:

The Commission's budget was approved at \$425,000 for the next fiscal year; therefore, we did not lose any state-funded positions.

Other items:

- Community Services Program - Was transferred to NC Department of Health and Human Services, which is a loss of \$203,000 and five (5) staff members, effective June 30.
- Low-Income Energy Assistance Program - Was funded for another year in the amount of \$110,000.
- Teen Tobacco Use Prevention Program - Was funded through June 30 in the amount of \$168,000.
- Healthy Eating Grant - The Commission received funding from the Kate B. Reynolds Charitable Trust in the amount of \$271,378 for a period of two years.
- Educational Talent Search Program - Funding in the amount of \$1,461,335 or \$292,267 per year for a period of five years. The program was funded by the US Department of Education.
- Indian Work Force Investment Act Funding - Funding in the amount of \$274,534 was received from the US Department of Labor for a period of one year.

II. Commission's 40th Anniversary Committee

We continued to provide staff support to the Commission's 40th Anniversary Planning Committee. The staff has secured a location for the November 18 Commission meeting and space for the 40th Anniversary Banquet. The November 18 Commission meeting will be held at

the NC State Faculty Club and the Banquet will be held at Edenton Street United Methodist Church, Raleigh, North Carolina.

III. National Congress of American Indians (NCAI) - Proposed Constitutional Amendment

The purpose of the conference call was to brief tribal leaders about a proposed draft resolution, presented to the National Congress of American Indians, during the Mid-Year Conference in Milwaukee, Wisconsin. The proposed resolution calls for an amendment to the current NCAI Constitution and would make state-recognized Indian tribes ineligible to hold membership in that organization. Chairman Paul Brooks encouraged the tribal administrators to discuss this matter with their tribal leadership and to write letters to Mr. Jefferson Keel, President of NCAI and express opposition to such an amendment. Additionally, all tribes were encouraged to join the NCAI and attend the conference, which will be held in Portland, Oregon, October 30 through November 4, 2011.

IV. General Accounting Office (GAO) Study

The above-referenced conference call also included a discussion regarding the GAO study.

A study is being conducted by the GAO throughout federal government to identify all funding allocated to non-federally recognized Indian tribes, groups and organizations.

Specifically, the objective of the study is to determine: (1) which federal agencies and programs are explicitly authorized to provide funding to non-federally recognized tribes, and for what purpose; and, (2) for fiscal years 2006 through 2010, how much federal funding did non-federally recognized tribes receive by agency and program, and to what extent eligibility was based on their status as Indian groups. GAO is beginning this work in response to a request made by the House Subcommittee on Indian and Alaska Native Affairs, Committee on Natural Resources.

Chairman Brooks requested that all North Carolina tribes and organizations call and write letters to their Congressional Delegates to voice displeasure about the fact that non-federally recognized tribes and organizations are being singled out in such a manner. It is the opinion of the tribal leaders who participated in the conference call that the GAO should study all federal funding awarded to Indian tribes and organizations and not just the non-federally recognized tribes and organizations. The Commission has also sent letters to the members of Congress representing Indian tribal communities.

V. Conference Call with Senator Kay Hagan's staff regarding the GAO Study

At the request of Senator Hagan's office, a conference call was held August 23, 2011, to discuss the GAO Study issue. The conference call included all of those tribal leaders who participated in the Commission's Conference call on July 28.

VI. Indian Heritage Month Activities

The Indian Heritage Month Planning Committee met on August 26 in Raleigh, and plans are coming together for the 2011 Indian Heritage Month Celebration. The celebration will be held on November 19 at the NC Museum of History in Raleigh, North Carolina. The Governor will be issuing a Proclamation for Indian Heritage Month again this year.

VII. Riverside Golf Update

The pro shop burned July 20, 2011, and it was a total loss. Arson is suspected but has not been confirmed. State officials have not determined if the building will be rebuilt. As you know, the golf course was closed in January due to health and safety issues. Requests for proposals were sent out to the public to obtain bids for a contract manager. The State Property Office received only one bid, which was from the Lumbee Tribe. A short-term lease was executed in April with the tribe, and that lease remains in place at this time.

VIII. Personnel Matters:

- a. **Administrative Secretary Vacancy:** This position has been advertised and will be filled during the next quarter.
- b. **Section 8 Housing Director Vacancy:** This position has been filled. Mrs. Melody Gates is our new Section 8 Housing Director.
- c. **Section 8 Housing Inspector Vacancy:** This position has been advertised and will be filled during the next quarter.
- d. **Educational Talent Search Counselor Position:** The interviews have been completed and a hiring decision was pending at the time this report was developed.
- e. **Low-Income Energy Assistance Program Workers:** We have two vacancies, one to be filled in Columbus County, and one to be filled in Harnett County. They are part-time temporary positions.

IX. Staff Quarterly Reports - (In meeting packet)

X. Action Items for September Meeting - (In meeting packet)

XI. Indian Time Newsletter - The Summer Edition of Indian Time has been posted and can be viewed at the following web page address:

www.doa.nc.gov/cia

The Fall Edition is being developed and Commission members are encouraged to send articles to Frances Norris at:

frances.norris@doa.nc.gov

Attachment 2

NC Commission of Indian Affairs
Staff Recommendations for Appointments
2011-2012

NC Indian Housing Authority: (Recommended by the Commission, Appointed by the Governor per NCGS 157)

First Priority - Alton Locklear (Currently Serving)

Second Priority - Furnie Lambert

Third Priority - Daniel Jones

Juvenile Justice Planning Committee: (Recommended by the Commission, Appointed by the Governor)
Barbara Lynch Brayboy

Advisory Council on Indian Education: (*From* Triangle Native American Association)

Dr. Teresa Cunningham

Dr. Chris Scott

United Tribes of North Carolina:

Greg Richardson

Legal Services of North Carolina, Pembroke Office

Tony Clark

RE: Commission Appointments 2011-2012

Attachment 3

Education Committee Meeting Minutes

Attachment 4

Health & Community Services Committee Meeting Minutes

Attachment 5

Standing Committee on Indian Child Welfare Committee Meeting Minutes

Attachment 6

40th Anniversary Resolution