LUMBEE TRIBE OF NORTH CAROLINA

TCRR-2011-1215-01

Date: December 15, 2011
Amended: November 15, 2012
Amended: January 24, 2013
Amended: February 21, 2013
Amended: February 18, 2014
Amended: January 15, 2015
Amended: January 21, 2016
Amended: January 19, 2017
Amended: February 16, 2017
Amended: May 18, 2017
Amended: June 15, 2017
Amended: January 18, 2018

"Standing Rules of Order and Regulations Governing the Duties of the Tribal Council Officers and Decorum of Council Meetings"

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;

WHEREAS, Article VII, Section 1-b of the Constitution of the Lumbee Tribe of North Carolina delegates all legislative authority to the Tribal Council; and

WHEREAS, In accordance with Article VII, Section 1-b of the Constitution of the Lumbee Tribe, the Tribal Council shall adopt rules and regulations governing the Council's procedure and decorum; and

WHEREAS, This rule of the Tribal Council of the Lumbee Tribe of North Carolina shall repeal and supercede CLLO-2005-003 as originally adopted and subsequently amended; and

THEREFORE, Be it adopted by the Tribal Council of the Lumbee Tribe of North Carolina the following rules and regulations that shall be cited as "STANDING RULES OF ORDER AND REGULATIONS GOVERNING THE DUTIES OF THE TRIBAL COUNCIL OFFICERS AND DECORUM OF COUNCIL MEETINGS."

SECTION 1. DUTIES OF TRIBAL COUNCIL OFFICERS

1. In accordance with Article VII, Section 1 and Section 4 (a – d) of the Constitution of the Lumbee Tribe, there shall be a Speaker, Vice-Chairman, Secretary, Treasurer. Officers shall also include a Parliamentarian with the duties stated therein, and any further duties imposed by this or other ordinances of the Tribal Council. Such officers shall be elected by the Tribal Council from among its members.
a. Speaker – The Speaker is elected annually principally for presiding over Tribal Council meeting. The Speaker should be thoroughly familiar with the Lumbee Constitution, Tribal Ordinances and be well versed in parliamentary law. The Speaker shall:
   (1) preside at meetings
   (2) open meetings on time
   (3) announce business
   (4) recognize speakers
   (5) state motions and put motions to a vote
   (6) maintain order and enforce rules
   (7) expedite business
   (8) adjourn meetings
   (9) sign documents

b. Vice-Chairman – The Vice-Chairman shall preside over council meetings in the absence of the Speaker. He or she should be willing and qualified to serve as Chairperson (e.g. 35 years of age).

c. Secretary – The Secretary is responsible for the minutes of the Tribal Council, and should have writing skills and be able to file, maintain, notify, sign and keep records of all proceedings of Council meetings and committee reports. The Secretary shall:
   (1) record minutes and file
   (2) present minutes for approval
   (3) prepare notice for meetings
   (4) sign documents
   (5) maintain tribal records

d. Treasurer – The Treasurer is responsible for preparing Tribal Budgets, conducting a public hearing on budgets, and should be knowledgeable of budgets, including preparation and monitoring of budgets, who shall oversee council proceedings to prepare annual tribal budgets.
   (1) present financial reports for review by Council members
   (2) ensures that adequate financial controls exist to safely guard Tribal assets
   (3) ensure that there are sound fiscal policies and procedures
   (4) sign documents
   (5) serve as Finance Committee Chairperson

e. Parliamentarian – The Parliamentarian shall be elected from the Council by a simple majority vote, and should be knowledgeable of parliamentary rules and procedure. The Parliamentarian shall:
   (1) assist the Speaker in maintaining order in meetings to ensure standard rules for the conduct of the meeting are adhered to
   (2) be responsible for responding to any questions or concerns regarding parliamentary procedure
Duties & Decorum

2. Elections for such officers will be held annually, within fifteen (15) days, following the
swearing in of any newly elected Tribal Council member(s), unless otherwise
determined by a simple majority vote of the Council.

3. It shall be the responsibility of the speaker to ensure that the monthly Tribal Council
Business Meeting is opened and closed by prayer, with the exception of scheduled
consecutive meetings at that time there will only be one opening and one closing
prayer.

SECTION 2. TRIBAL COUNCIL MEETINGS

1. In accordance with Article VII, Section 1-b of the Constitution of the Lumbee Tribe, the
Tribal Council shall adopt rules and regulations governing the Council’s procedure and
decorum.
   a. The Rules and Regulations shall be adopted by the Tribal Council following
      swearing in of any newly elected Tribal Council member(s), at the first official
      meeting of the Lumbee Tribal Council.
   b. A vote of two-thirds (2/3) of the sitting Council members shall be required to
      change or suspend the rules.

2. There shall be regular meetings of the Tribal Council as defined in a Resolution by the
Tribal Council at the first annual meeting of each calendar year. The meetings for
each calendar year shall be published and made available to the membership.

3. No proceeding of the Tribal Council shall take place in the absence of a quorum which
shall consist of two-third (2/3) of the sitting council members, and all decisions of the
Tribal Council shall require an affirmative vote of the majority of present council
members. In determining what number constitutes two-thirds (2/3) of the sitting
Council members, the number will be rounded up to the nearest whole number.

4. The Speaker shall, upon the request of one-third (1/3) or more of the Council members
or the written request of the Tribal Chairperson, schedule a special session of the
Tribal Council, with at least five (5) business days advance notice thereof to all
members of the Tribal Council. Only in the most extreme of cases or circumstances
can the Speaker with the approval of a majority vote of the officers, circumvent the five
(5) day rule by calling an emergency meeting. Any request for a special session shall
state the proposed agenda item and the special session shall be limited to
consideration of the proposed agenda item. No business may be transacted if proper
advance notice has not been provided to the members of the Tribal Council.

5. The Speaker shall prepare an agenda for every regular meeting with items presented
to him/her for discussion and/or action, with copies provided to each council
member postmarked/emailed within five (5) business days in advance of the meeting.
The Tribal Chairman and any others requesting to be added to the monthly council
business meeting agenda with items presented for discussion and/or action, must
provide copies to each council member postmarked/emailed within five (5) business
Duties & Decorum

days in advance of the meeting. Supporting documents for an agenda item shall be
included in mailed/emailed packages to the Tribal Council only. To the extent
possible, committees will refrain from conducting committee meetings during this
seven (7) day period.

6. Any matter that needs to be added after the agenda has been sent to the Tribal
Council shall be brought to the Speaker for consideration to be placed on the agenda.

7. If the Speaker decides against placing the new item on the agenda, a two-thirds vote
of the council members present can add an item to the agenda.

8. The agenda shall be enforced by the Speaker and shall consist of the following:
   a. Debate of proposed ordinance(s) and other business
   b. Items that require action by the Tribal Council
   c. Remarks by the Tribal Chairperson and/or Tribal Administrator should be
      made in advance, with a written report provided to council.
   d. Allowed time for community remarks. Community remarks shall not exceed
      three (3) minutes per speaker.
      (1) Each individual shall sign and state topic of comment they
      shall list their name and district to the Speaker of the Tribal
      Council or his delegate the purpose for their desire to speak
      prior to the opening of the Tribal Council meeting at which
      they desire to be heard.
   e. A copy of the Community comment rules will be displayed on monitors before
      each Tribal Council business meeting and also read prior to the Community
      Comments by the Secretary or Speaker.

9. The Speaker shall preserve order and decorum. Decency of speech shall be
observed and disrespect to personalities carefully avoided. Any communication
device shall not interfere with the conduct of the meetings. Tribal Council Members will
not wear head coverings during any meetings.

10. All monthly business meetings of the Tribal Council shall open and close with a prayer.

11. There shall be no teleconference calls during the course of a meeting of the Lumbee
Tribal Council including special called meetings and committee meetings. No Council
member shall be allowed to vote by teleconference on any issue at any meeting.

12. All meetings of the Tribal Council shall follow and adhere to the Constitution, Tribal
the Common Law.

13. After an item has been introduced and a motion is on the floor:
   a. The time limit on the debate shall be set at no more than fifteen (15) minutes,
      unless a simple majority votes to extend the length of the debate.
   b. No member may speak more than once on the issue, but may offer one
      rebuttal to a comment of another council member. If a council member feels
compelled to make a comment after his or her first rebuttal has been made, he
or she can do so after everyone else has had an opportunity to speak.
c. A rebuttal shall be no longer than three (3) minute per person.

14. Voting – votes shall be either by voice vote or roll call vote.
a. Roll Call Vote – all votes that pertain to legislation (ordinances and
   resolutions) and measures shall be by roll call vote.
b. Voice Vote – all other votes shall be by voice vote.

15. Informational Reports from Committees shall be limited to five (5) minutes. During the
report, the Committee Chairperson or designee shall report only their findings and
recommendations on matters undertaken by the Committee. Committees should
refrain from discussing matters in which they have no findings or recommendation to
report.

16. In the event a regularly scheduled or special called meeting of Council is changed by a
majority vote of the Executive Committee, the Tribal Council’s Secretary or his/her
designee shall notify members by phone or email in a timely manner.

17. All new items of interest embodied in ordinances shall be referred to the appropriate
committee.

18. The Speaker will extend recognition to prior members of the Lumbee Tribal Council,
Tribal Chairman, elected officials, and/or distinguished guests.

19. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
Officers and Decorum of Council Meetings are effective immediately upon adoption by
the Tribal Council.

20. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
Officers and Decorum of Council Meetings shall be adopted at the first official session
of each new Tribal Council, unless the existing Rules are adopted.

21. The Lumbee Tribal Council has the power of censure of a Tribal Council member in
accordance to an adopted tribal ordinance.

22. LUMBEE TRIBE OF NORTH CAROLINA ETHICS AWARENESS & CONFLICT OF
INTEREST REMINDER (To be read by the Chair on his or her designee at the
beginning of each meeting). In accordance with Ethics and Conflict of Interest
Ordinance #2010-0312-01, it is the duty of every Council Member to avoid both
conflicts of interest and the appearances of a conflict of interest with regards to any
matters before the Council today. Does any Council Member have a known conflict of
interest or any perceived conflicts of interest with respect to any matters coming before
the Council today? If so, please refrain from participation in those particular
deliberations during the meeting. Any and all documents that require action by the
council shall be confidential in nature not for distribution outside Council Members until
such action is voted on by full council.
Duties & Decorum

23. An excused absence of a council member or committee member will be defined as:

1. Hospitalization of member
2. Approved Tribal Business
3. Death of immediate family (as defined by wife, husband, parents, brother, sister, children and stepchildren).
4. Work related

SECTION 3: COMMITTEES

1. All members of the Lumbee Tribal Council shall serve on at least one (1) committee. Each standing committee must consist of a minimum of five (5) and a maximum of seven (7) sitting Lumbee Tribal Council members. This does not preclude other Council members from participating in committee meetings.

2. Chairpersons of all committees shall be elected annually by a simple majority vote of the Lumbee Tribal Council. The Chairman of each committee shall be elected at the first meeting of the Lumbee Tribal Council annually. The chairperson of said committee shall call a meeting within fifteen (15) days for committee organization. All interested Lumbee Tribal Council members should attend. Committee members will be chosen on a volunteer basis. If there are not enough of volunteers then nominations will be chosen by the chairperson. A member can be removed and replaced by the majority of the committee if they fail to meet three consecutive unexcused meetings.

3. Minutes of each Lumbee Tribal Council committee shall be recorded by the Secretary of that committee, to be maintained and archived by the Lumbee Tribal Clerk, as are all other records. The minutes shall include the number of members present, and action taken by the committee.

4. If necessary, each committee shall report to the full Council at the next scheduled Council business meeting.

5. The committee shall have the authority to select non-paid consultants who are experts in their field to advise the committee.

Definitions:

Informational Reports – A summary of Committee meetings that includes the Committee’s findings and recommendations.

Censure – A judgment or resolution condemning a person; specifically an official expression of disapproval.
CERTIFICATION


ATTEST: Bobby Oxendine
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

DATE

ATTEST: Jan Lowery
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

DATE
ROLL CALL VOTE RESULTS
TCRR-2011-1215-01 "STANDING RULES OF ORDER AND REGULATIONS GOVERNING THE
DUTIES OF THE TRIBAL COUNCIL OFFICERS AND DECOURM OF COUNCIL MEETINGS"
AMENDED JANUARY 18, 2017

21 YES, 0 NO, 0 ABSTENSION(S)

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