

## 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  
Amended: January 25, 2019  
Amended: January 16, 2020  
Amended: March 26, 2020  
Amended: January 21, 2021  
Amended: April 15, 2021  
Amended: March 17, 2022  
Amended: April 20, 2023  
Amended: March 21, 2024

### ***“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 supersede 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 facilitating the preparation of 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

## Duties & Decorum

- 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
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 BUSINESS 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 present 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.

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5. The Speaker shall prepare an agenda for every regular meeting with items presented to him/her for discussion and/or or action, with copies provided to each council member postmarked/mailed 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 or action, must provide copies to each council member postmarked/mailed within five (5) business days in advance of the meeting. Supporting documents for an agenda item shall be included in mailed/mailed 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. All Council and committee meetings, must be held in person, with the only exception(s) being:
  1. Tribally declared state of emergency, or
  2. NC declared state of emergency, or
  3. National declared state of emergency, or
  4. Natural Disasters declared on Tribal TerritoryThese meetings can be held via the virtual method outlined in Ordinance #CLLO-2023-1221-01, "Virtual Usage for Committee Meetings"

## Duties & Decorum

All Business Meetings will be conducted in Chambers with members having access to livestream.

12. All meetings of the Tribal Council shall follow and adhere to the Constitution, Tribal Ordinances, Standing Rules of Order, latest edition of Robert's Rules of Order and or 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 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 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 (*CLLO-2013-1105-002*).



## Duties & Decorum

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 distribution outside Council Members until such action is voted on by full council.
23. An excused absence of a council member or committee member will be defined as;
  - a.
    1. Sickness or Medical quarantine/isolation (Physician's excuse required), Hospitalization or Death of immediate family member (as defined by wife, husband, parents, brother, sister, children and stepchildren).
    2. Approved Tribal Business
    3. Military commitment due to Tribal, State, or Federal State of Emergency
  - b. A vote of a simple majority of the present council members is required to approve an excused absence.

## 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) sitting Lumbee Tribal Council members. This does not preclude other Council members from participating in committee meetings. Committee members may not be added after March 31, 2021, except as specified in Section 3 item #2 of this resolution.
2. Chairpersons of all Lumbee Tribal Council Standing Committees shall be elected annually at the first formal Tribal Council meeting by a simple majority vote. The chairperson of said committee shall call a meeting within fifteen (15) days for committee organization. All interested Lumbee Tribal Council members are encouraged to attend. Committee membership shall be chosen on a voluntary basis. In the event a committee minimum is not achieved, then nominees shall be appointed by the chairperson. A member shall be removed by a simple majority vote if they are absent for three (3) scheduled meetings unexcused. If said removal places the committee total below the 5-member minimum, then that vacancy shall be filled.
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.

Duties & Decorum

- 6. The committee chairperson may occasionally schedule Council work sessions. Work sessions are intended to provide opportunities for council/board members to study difficult issues, gather and analyze information, and clarify problems. In these sessions there shall be no quorum requirements, no motions made or actions taken as the work session is not a formal proceeding.

Definitions:

Present Council – Members that are attending physically or in person.


Sitting Council – Members that make up a whole.

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**

THIS, **TCRR-2011-1215-01** "STANDING RULES OF ORDER AND REGULATIONS GOVERNING THE DUTIES OF THE TRIBAL COUNCIL OFFICERS AND DECORUM OF COUNCIL MEETINGS," AMENDED AT A MEETING OF THE (21) SEATED MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 18 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 21<sup>st</sup> DAY OF MARCH, 2024 BY A VOTE OF 18 FOR 0 AGAINST 0 ABSTENTION(S).

 3-21-24

ATTEST: DEWEY J. MCNEILL DATE  
 Speaker, Tribal Council of the Lumbee Tribe of North Carolina

 3-21-24

ATTEST: NANCI LOCKLEAR DATE  
 Secretary, Tribal Council of the Lumbee Tribe of North Carolina

**ROLL CALL VOTE RESULTS**

**TCRR-2011-1215-01 “STANDING RULES OF ORDER AND REGULATIONS  
GOVERNING THE DUTIES OF THE TRIBAL COUNCIL OFFICERS AND  
DECORUM OF COUNCIL MEETINGS”**

**AMENDED MARCH 21, 2024**

**18 FOR, 0 AGAINST, 0 ABSTENTION(S)**

District 1:	Billy Oxendine	YES
District 2:	Graylen Mitchell	YES
	Gerald Goolsby	YES
District 3:	Harold Smith	YES
	Pam Hunt	YES
District 4:	Jody Bullard	YES
District 5:	Wendy Moore	YES
	Carrington Locklear	ABSENT
District 6:	Larry Chavis	YES
	Kristie Hunt	ABSENT
District 7:	Nanci Locklear	YES
	Yvonne Dial	YES
	Rudy Locklear	YES
District 8:	Kathy Hunt	ABSENT
District 9:	Dewey J McNeill	YES
District 10:	Bobby Emanuel	YES
District 11:	Chocajuana Oxendine	YES
District 12:	Josephine Doss	YES
	Larry Soles	YES
District 13:	Alex Baker	YES
District 14:	Homer Fields	YES