LUMBEE TRIBAL COUNCIL

Special Called Meeting Minutes

Thursday, October 15, 2026
Lumbee Tribal Complex Livestream

I. Call to Order

Speaker Alex Baker

II. Invocation

The invocation was given by Councilman Homer Fields.

III. Pledge of Allegiance

Councilman Larry Soles led the Pledge of Allegiance.

IV. Preamble to the Tribal Constitution

Councilman Eric Chavis led the Council in reciting the Preamble.

V. Roll Call

Secretary Chocajuana Oxendine called the roll. A quorum was established.

VI. Ethics Statement

Speaker Baker read the ethics statement in accordance with Ordinance No. 2010-0312-01. No conflicts were declared.

VII. Welcome and Purpose

Speaker Baker welcomed those present and online. He stated that this meeting was called separately because of its historic importance, to discuss the discretionary public hearing feedback and to consider the Gaming Ordinance.

VIII. Consideration of the Gaming Ordinance

A. Presentation by General Counsel Joshua Malcolm

General Counsel Malcolm presented a side-by-side comparison of the two bodies the ordinance would create: the **Lumbee Gaming Commission (LGC)**, the regulator (Part One), and the **Lumbee Gaming Authority (LGA)**, the operator (Part Two). He explained that the LGA was added in response to questions raised in the public record about oversight of funds, segregation of duties, and procurement. Highlights:

- **Board seats:** Each body has five members. The Tribal Council holds final appointment authority for all ten seats. For the LGC, the Council selects three seats and the Tribal Chairperson nominates two; for the LGA, the split is reversed. The Chairperson must send a full nomination package, including a resume, for each nominee.
- **Selection process:** Applicants self-nominate during a public notice window. Applications are confidential and go to the Speaker, and the Executive Committee narrows each seat to two finalists for the Council. Names are announced only upon appointment.

- **Eligibility:** Members must have been continuously enrolled for three years, hold a current tribal ID, and have voted in one of the two most recent elections for which they were eligible. Eligibility is continuous; a member who lapses is no longer eligible.
- **Restrictions:** Constitutional officers (the Chairperson, Council members, and judges), election board members, and federal, state, and local officeholders may not serve, with a one-year cooling-off period. A member who files for political office must step down.
- **Tribal citizenship:** The LGC must have at least two enrolled tribal citizens initially and three of five by year three. At least three LGA directors must be enrolled tribal citizens.
- **Leadership and terms:** LGC members choose their own officers. The Council appoints the initial LGA chairperson, whose term begins counting July 1, 2027, for stability. Staggered terms and term limits apply.
- **Oversight:** The LGA's general counsel, chief audit executive, and chief compliance officer report directly to the LGA board, not the CEO. The LGC has prompt and complete access to LGA records, and disputes over access go to an independent neutral.
- **Initial funding:** Lumbee Tribal Holdings is to disburse $350,000 in seed money within 30 days of the LGA board being seated.
- **Reserve powers (Section 11):** Major actions, such as selling or encumbering tribal lands, taking on debt, certain partnerships, and amending the gaming ordinance, require Tribal Council approval. A materiality threshold is to be set in writing within the first 90 days.
- **Changes since last week:** Two-person quorums were eliminated; LGA action by written consent was eliminated; bi-weekly meetings with a 75% attendance threshold were added; and confidentiality provisions were expanded.
- **Initial screening panel:** Because no regulators exist at the outset, nominees will be screened for character and federal requirements by a three-person panel: the Council's General Counsel, the Chairperson's attorney or compliance officer, and a neutral third person selected by those two.
- **Reporting:** Both bodies would give quarterly written reports and public oral reports in general terms, and an annual report around Lumbee Homecoming.
- **Section 17 option:** The LGA is currently an instrumentality of the Tribe, with a placeholder allowing the Council to later choose a Section 17 (Indian Reorganization Act) corporation to protect other tribal assets from liability.

B. Council Direction on Changes

Through discussion, the Council directed General Counsel to make the following changes to the ordinance:

- **Screening panel accountability (Speaker Baker):** Nominees are not automatically appointed after screening. The panel's eligibility findings go in writing to the Council for final consideration and appointment; findings on the Chairperson's nominees go back to the Chairperson.
- **Removal appeals (Councilman Rudy Locklear and Speaker Baker):** A removed LGC commissioner's petition for review will go to the existing Administrative Court, with the Supreme Court serving as the appellate court. Councilman Locklear raised concern that the ordinance should not require the Supreme Court to hear such petitions.
- **Collaboration (Section 11):** Language requiring the Tribal Council to collaborate with the Tribal Chairperson on reserve-power decisions, without a veto, will be added.
- **Sovereign immunity:** The Tribal Chairperson will be included in decisions to waive limited sovereign immunity.

Speaker Baker also asked whether the LGA's grounds for removal are as detailed as the LGC's. Counsel explained the LGA provisions are shorter but still require written notice, an opportunity to respond, written findings, and a two-thirds Council vote. Councilwoman Mary Locklear asked what would be shared on

estream. Counsel explained that quarterly oral reports will be public, while licensing, background, and usiness-strategy matters will remain confidential.

. Recess

lotion by Councilman Rudy Locklear to recess to discuss matters with the Council; second by Councilman ric Chavis. Approved by voice vote. The Council recessed and reconvened at 9:00 p.m.

). Discussion

- **Councilman Harold Smith** opposed acting tonight. He stated the document still has too many open questions and should be cleaned up and sent to the Council to review. He also objected to holding the referendum close to Christmas, when turnout may suffer.
- **Councilwoman Nanci Locklear** asked about the Chairman's involvement. Speaker Baker stated he had asked the Chairman to stay out of the drafting so that the Council could do its legislative work, and that the Chairman has kept his word. He acknowledged that the Council and Chairman had committed to meet quarterly, and that this has not happened. Councilwoman Nanci Locklear left the meeting.
- **Councilman Graylen Mitchell** asked whether tribal citizens would vote on the ordinance. Counsel explained that, per the Tribal Supreme Court's decision, a fundamental-right ordinance must be signed by the Chairman within 10 days and then goes to an Article 6 referendum requiring 30% turnout. The Council will set plain-language ballot wording.
- **Councilman Bobby Emanuel** asked whether the election could be held after the holidays. **Councilwoman Mary Locklear** raised competition from a possible South Carolina casino. Counsel stated that if the ordinance passed tonight, the election would likely be held December 10 or December 15.
- **Councilman Jody Bullard** noted the ordinance must still be reviewed under IGRA/NIGC and would come back if changes are required. Counsel confirmed the 10-day clock would begin the day after passage.
- **Councilwoman Rubalena Locklear** spoke in support, citing the growing needs of tribal members, and noted that June 23 voters objected to the ballot wording rather than to gaming.
- **Councilwoman Mary Locklear** stated that most public comments she read support gaming and wanted to know how revenue would be used.

E. Motion and Vote

Motion by Councilman Larry Soles to adopt the Gaming Ordinance; second by Councilman Carrington Locklear.

Amendment to the Gaming Ordinance (Speaker Baker): Enter all discretionary public hearing comments, both oral and written, as an exhibit to the ordinance, so they are attached when the ordinance is published. Accepted by the maker and the second.

Roll call vote:

Yes (14)	No (2)	Absent
Jody Bullard Carrington Locklear Rubalena Locklear Kathy Hunt Johnny Bell Bobby Emanuel Chocajuana Oxendine Josephine Doss Alex Baker Homer Fields Mary Locklear Larry Soles Rudy Locklear Eric Chavis	Harold Smith Graylen Mitchell	Sharon Hunt Billy Oxendine Larry Chavis Sandra Dial Nanci Locklear

Action: Gaming Ordinance CLLO-2026-1015-04 Passed

IX. Community Comments

X. Adjournment

Councilwoman Josephine Doss made a motion to adjourn, Councilwoman Kathy Hunt 2nd motion.

XI. Benediction Councilman Graylen Mitchell