

# 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 super cede 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.

## Duties & Decorum

- 1 a. Speaker – The Speaker is elected annually principally for presiding over Tribal  
2 Council meeting. The Speaker should be thoroughly familiar with the Lumbee  
3 Constitution, Tribal Ordinances and be well versed in parliamentary law. The  
4 Speaker shall:
  - 5 (1) preside at meetings
  - 6 (2) open meetings on time
  - 7 (3) announce business
  - 8 (4) recognize speakers
  - 9 (5) state motions and put motions to a vote
  - 10 (6) maintain order and enforce rules
  - 11 (7) expedite business
  - 12 (8) adjourn meetings
  - 13 (9) sign documents
- 14
- 15 b. Vice-Chairman – The Vice-Chairman shall preside over council meetings in  
16 the absence of the Speaker. He or she should be willing and qualified to  
17 serve as Chairperson (e.g. 35 years of age).
- 18
- 19 c. Secretary – The Secretary is responsible for the minutes of the Tribal Council,  
20 and should have writing skills and be able to file, maintain, notify, sign and  
21 keep records of all proceedings of Council meetings and committee reports.  
22 The Secretary shall:
  - 23 (1) record minutes and file
  - 24 (2) present minutes for approval
  - 25 (3) prepare notice for meetings
  - 26 (4) sign documents
  - 27 (5) maintain tribal records
- 28
- 29 d. Treasurer – The Treasurer is responsible for preparing Tribal Budgets,  
30 conducting a public hearing on budgets, and should be knowledgeable of  
31 budgets, including preparation and monitoring of budgets, who shall oversee  
32 council proceedings to prepare annual tribal budgets.
  - 33 (1) present financial reports for review by Council members
  - 34 (2) ensures that adequate financial controls exist to safely guard  
35 Tribal assets
  - 36 (3) ensure that there are sound fiscal policies and procedures
  - 37 (4) sign documents
  - 38 (5) serve as Finance Committee Chairperson
- 39
- 40 e. Parliamentarian – The Parliamentarian shall be elected from the Council by a  
41 simple majority vote, and should be knowledgeable of parliamentary rules  
42 and procedure. The Parliamentarian shall:
  - 43 (1) assist the Speaker in maintaining order in meetings to ensure  
44 standard rules for the conduct of the meeting are adhered to
  - 45 (2) be responsible for responding to any questions or concerns  
46 regarding parliamentary procedure
- 47

## Duties & Decorum

- 1           2. Elections for such officers will be held annually, within fifteen (15) days, following the  
2           swearing in of any newly elected Tribal Council member(s), unless otherwise  
3           determined by a simple majority vote of the Council.  
4
- 5           3. It shall be the responsibility of the speaker to ensure that the monthly Tribal Council  
6           Business Meeting is opened and closed by prayer, with the exception of scheduled  
7           consecutive meetings at that time there will only be one opening and one closing  
8           prayer.  
9

## 10           **SECTION 2. TRIBAL COUNCIL MEETINGS**

- 11           1. In accordance with Article VII, Section 1-b of the Constitution of the Lumbee Tribe, the  
12           Tribal Council shall adopt rules and regulations governing the Council's procedure and  
13           decorum.  
14           a. The Rules and Regulations shall be adopted by the Tribal Council following  
15           swearing in of any newly elected Tribal Council member(s), at the first official  
16           meeting of the Lumbee Tribal Council.  
17           b. A vote of two-thirds (2/3) of the sitting Council members shall be required to  
18           change or suspend the rules.  
19
- 20           2. There shall be regular meetings of the Tribal Council as defined in a Resolution by the  
21           Tribal Council at the first annual meeting of each calendar year. The meetings for  
22           each calendar year shall be published and made available to the membership.  
23
- 24           3. No proceeding of the Tribal Council shall take place in the absence of a quorum which  
25           shall consist of two-third (2/3) of the sitting council members, and all decisions of the  
26           Tribal Council shall require an affirmative vote of the majority of present council  
27           members. In determining what number constitutes two-thirds (2/3) of the sitting  
28           Council members, the number will be rounded up to the nearest whole number.  
29
- 30           4. The Speaker shall, upon the request of one-third (1/3) or more of the Council members  
31           or the written request of the Tribal Chairperson, schedule a special session of the  
32           Tribal Council, with at least five (5) business days advance notice thereof to all  
33           members of the Tribal Council. Only in the most extreme of cases or circumstances  
34           can the Speaker with the approval of a majority vote of the officers, circumvent the five  
35           (5) day rule by calling an emergency meeting. Any request for a special session shall  
36           state the proposed agenda item and the special session shall be limited to  
37           consideration of the proposed agenda item. No business may be transacted if proper  
38           advance notice has not been provided to the members of the Tribal Council.  
39
- 40           5. The Speaker shall prepare an agenda for every regular meeting with items presented  
41           to him/her for discussion and/or or action , with copies provided to each council  
42           member postmarked/emailed within five (5) business days in advance of the meeting.  
43           The Tribal Chairman and any others requesting to be added to the monthly council  
44           business meeting agenda with items presented for discussion and/or or action, must  
45           provide copies to each council member postmarked/emailed within five (5) business  
46           days in advance of the meeting.  
47

## Duties & Decorum

1 days in advance of the meeting. Supporting documents for an agenda item shall be  
2 included in mailed/mailed packages to the Tribal Council only. To the extent  
3 possible, committees will refrain from conducting committee meetings during this  
4 seven (7) day period.  
5

6 6. Any matter that needs to be added after the agenda has been sent to the Tribal  
7 Council shall be brought to the Speaker for consideration to be placed on the agenda.  
8

9 7. If the Speaker decides against placing the new item on the agenda, a two-thirds vote  
10 of the council members present can add an item to the agenda.  
11

12 8. The agenda shall be enforced by the Speaker and shall consist of the following:

13 a. Debate of proposed ordinance(s) and other business

14 b. Items that require action by the Tribal Council

15 c. Remarks by the Tribal Chairperson and/or Tribal Administrator should be  
16 made in advance, with a written report provided to council.

17 d. Allowed time for community remarks. Community remarks shall not exceed  
18 three (3) minutes per speaker.

19 (1) Each individual shall sign and state topic of comment they  
20 shall list their name and district to the Speaker of the Tribal  
21 Council or his delegate the purpose for their desire to speak  
22 prior to the opening of the Tribal Council meeting at which  
23 they desire to be heard.

24 e. A copy of the Community comment rules will be displayed on monitors before  
25 each Tribal Council business meeting and also read prior to the Community  
26 Comments by the Secretary or Speaker.  
27

28 9. The Speaker shall preserve order and decorum. Decency of speech shall be  
29 observed and disrespect to personalities carefully avoided. Any communication  
30 device shall not interfere with the conduct of the meetings. Tribal Council Members will  
31 not wear head coverings during any meetings.  
32

33 10. All monthly business meetings of the Tribal Council shall open and close with a prayer.  
34

35 11. There shall be no teleconference calls during the course of a meeting of the Lumbee  
36 Tribal Council including special called meetings and committee meetings. No Council  
37 member shall be allowed to vote by teleconference on any issue at any meeting.  
38

39 12. All meetings of the Tribal Council shall follow and adhere to the Constitution, Tribal  
40 Ordinances, Standing Rules of Order, latest edition of Robert's Rules of Order and or  
41 the Common Law.  
42

43 13. After an item has been introduced and a motion is on the floor:

44 a. The time limit on the debate shall be set at no more than fifteen (15) minutes,  
45 unless a simple majority votes to extend the length of the debate.

46 b. No member may speak more than once on the issue, but may offer one  
47 rebuttal to a comment of another council member. If a council member feels

## Duties & Decorum

- 1                                    compelled to make a comment after his or her first rebuttal has been made, he  
2                                    or she can do so after everyone else has had an opportunity to speak.  
3                                    c. A rebuttal shall be no longer than three (3) minute per person.  
4  
5                                    14. Voting – votes shall be either by voice vote or roll call vote.  
6                                    a. Roll Call Vote – all votes that pertain to legislation (ordinances and  
7                                    resolutions) and measures shall be by roll call vote.  
8                                    b. Voice Vote – all other votes shall be by voice vote.  
9  
10                                   15. Informational Reports from Committees shall be limited to five (5) minutes. During the  
11                                   report, the Committee Chairperson or designee shall report only their findings and  
12                                   recommendations on matters undertaken by the Committee. Committees should  
13                                   refrain from discussing matters in which they have no findings or recommendation to  
14                                   report.  
15  
16                                   16. In the event a regularly scheduled or special called meeting of Council is changed by a  
17                                   majority vote of the Executive Committee, the Tribal Council's Secretary or his/her  
18                                   designee shall notify members by phone or email in a timely manner.  
19  
20                                   17. All new items of interest embodied in ordinances shall be referred to the appropriate  
21                                   committee.  
22  
23                                   18. The Speaker will extend recognition to prior members of the Lumbee Tribal Council,  
24                                   Tribal Chairman, elected officials, and/or distinguished guests.  
25  
26                                   19. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council  
27                                   Officers and Decorum of Council Meetings are effective immediately upon adoption by  
28                                   the Tribal Council.  
29  
30                                   20. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council  
31                                   Officers and Decorum of Council Meetings shall be adopted at the first official session  
32                                   of each new Tribal Council, unless the existing Rules are adopted.  
33  
34                                   21. The Lumbee Tribal Council has the power of censure of a Tribal Council member in  
35                                   accordance to an adopted tribal ordinance.  
36  
37                                   22. LUMBEE TRIBE OF NORTH CAROLINA ETHICS AWARENESS & CONFLICT OF  
38                                   INTEREST REMINDER (To be read by the Chair on his or her designee at the  
39                                   beginning of each meeting). In accordance with Ethics and Conflict of Interest  
40                                   Ordinance #2010-0312-01, it is the duty of every Council Member to avoid both  
41                                   conflicts of interest and the appearances of a conflict of interest with regards to any  
42                                   matters before the Council today. Does any Council Member have a known conflict of  
43                                   interest or any perceived conflicts of interest with respect to any matters coming before  
44                                   the Council today? If so, please refrain from participation in those particular  
45                                   deliberations during the meeting. Any and all documents that require action by the  
46                                   council shall be confidential in nature not for distribution outside Council Members until  
47                                   such action is voted on by full council.

## Duties & Decorum

1  
2 23. An excused absence of a council member or committee member will be defined as;

- 3  
4 1. Hospitalization of member  
5 2. Approved Tribal Business  
6 3. Death of immediate family (as defined by wife, husband, parents, brother,  
7 sister, children and stepchildren).  
8 4. Work related  
9

### 10 SECTION 3: COMMITTEES

- 11  
12 1. All members of the Lumbee Tribal Council shall serve on at least one (1) committee. Each  
13 standing committee must consist of a minimum of five (5) and a maximum of seven (7) sitting  
14 Lumbee Tribal Council members. This does not preclude other Council members from  
15 participating in committee meetings.  
16  
17 2. Chairpersons of all committees shall be elected annually by a simple majority vote of the  
18 Lumbee Tribal Council. The Chairman of each committee shall be elected at the first meeting  
19 of the Lumbee Tribal Council annually. The chairperson of said committee shall call a  
20 meeting within fifteen (15) days for committee organization. All interested Lumbee Tribal  
21 Council members should attend. Committee members will be chosen on a volunteer basis. If  
22 there are not enough of volunteers then nominations will be chosen by the chairperson. A  
23 member can be removed and replaced by the majority of the committee if they fail to  
24 meet three consecutive unexcused meetings.  
25  
26 3. Minutes of each Lumbee Tribal Council committee shall be recorded by the Secretary of that  
27 committee, to be maintained and archived by the Lumbee Tribal Clerk, as are all other  
28 records. The minutes shall include the number of members present, and action taken by the  
29 committee.  
30  
31 4. If necessary, each committee shall report to the full Council at the next scheduled Council  
32 business meeting.  
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35 5. The committee shall have the authority to select non-paid consultants who are experts in their  
36 field to advise the committee.  
37  
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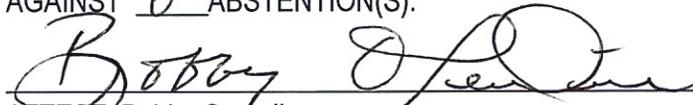
#### 39 Definitions:

40  
41 Informational Reports – A summary of Committee meetings that includes the Committee's findings and  
42 recommendations.

43  
44 Censure – A judgment or resolution condemning a person; specifically an official expression of  
45 disapproval.  
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CERTIFICATION

THIS, "STANDING RULES OF ORDER AND REGULATIONS GOVERNING THE DUTIES OF THE TRIBAL COUNCIL OFFICERS AND DECORUM OF COUNCIL MEETINGS," TCRR-2011-1215-01, AT A MEETING OF THE 21-MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 21 MEMBERS WERE PRESENT, CONSTITUTION A QUORUM THIS THE 18<sup>th</sup> DAY OF January, 2018 BY A VOTE OF 20 FOR 0 AGAINST 0 ABSTENTION(S).

  
ATTEST: Bobby Oxendine 1-18-18  
Speaker, Tribal Council of the Lumbee Tribe of North Carolina DATE

  
ATTEST: Jan Lowery 1-18-18  
Secretary, Tribal Council of the Lumbee Tribe of North Carolina DATE

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## 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"

AMMENDED JANUARY 18, 2017

21 YES, 0 NO, 0 ABSTENSION(S)

District 1:	LaKishia Sweat	YES
District 2:	Sharon Hunt	YES
	Janie McFarland	YES
District 3:	James B. Hunt	YES
	Alton Locklear	YES
District 4:	Jonathan Locklear	YES
District 5:	Bobby Oxendine	YES
	Jarrold Lowery	YES
District 6:	Larry Chavis	YES
	Douglas Locklear	YES
District 7:	Reginald Oxendine	YES
	Jan Lowery	YES
	Alvin Mercer	YES
District 8:	Corbin Eddings	YES
District 9:	Anita Hammonds Blanks	YES
District 10:	Janet Locklear	YES
District 11:	Frank Cooper	YES
District 12:	Annie Taylor	YES
	Michael Chavis	YES
District 13:	Ricky Burnett	YES
District 14:	Barbara Lowery	YES