

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

“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.

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1 Officers shall also include a Parliamentarian with the duties stated therein, and any
2 further duties imposed by this or other ordinances of the Tribal Council. Such officers
3 shall be elected by the Tribal Council from among its members.

4 a. Speaker – The Speaker is elected annually principally for presiding over Tribal
5 Council meeting. The Speaker should be thoroughly familiar with the Lumbee
6 Constitution, Tribal Ordinances and be well versed in parliamentary law. The
7 Speaker shall:

- 8 (1) preside at meetings
- 9 (2) open meetings on time
- 10 (3) announce business
- 11 (4) recognize speakers
- 12 (5) state motions and put motions to a vote
- 13 (6) maintain order and enforce rules
- 14 (7) expedite business
- 15 (8) adjourn meetings
- 16 (9) sign documents

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

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22 c. Secretary – The Secretary is responsible for the minutes of the Tribal Council,
23 and should have writing skills and be able to file, maintain, notify, sign and
24 keep records of all proceedings of Council meetings and committee reports.
25 The Secretary shall:

- 26 (1) record minutes and file
- 27 (2) present minutes for approval
- 28 (3) prepare notice for meetings
- 29 (4) sign documents
- 30 (5) maintain tribal records

31
32 d. Treasurer – The Treasurer is responsible for preparing Tribal Budgets,
33 conducting a public hearing on budgets, and should be knowledgeable of
34 budgets, including preparation and monitoring of budgets, who shall oversee
35 council proceedings to prepare annual tribal budgets.

- 36 (1) present financial reports for review by Council members
- 37 (2) ensures that adequate financial controls exist to safely guard
38 Tribal assets
- 39 (3) ensure that there are sound fiscal policies and procedures
- 40 (4) sign documents
- 41 (5) serve as Finance Committee Chairperson

42
43 e. Parliamentarian – The Parliamentarian shall be elected from the Council by a
44 simple majority vote, and should be knowledgeable of parliamentary rules
45 and procedure. The Parliamentarian shall:

- 46 (1) assist the Speaker in maintaining order in meetings to ensure
47 standard rules for the conduct of the meeting are adhered to

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

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

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- 1 The Tribal Chairman and any others requesting to be added to the monthly council
2 business meeting agenda with items presented for discussion and/or or action, must
3 provide copies to each council member postmarked/mailed within five (5) business
4 days in advance of the meeting. Supporting documents for an agenda item shall be
5 included in mailed/mailed packages to the Tribal Council only. To the extent possible,
6 committees will refrain from conducting committee meetings during this seven (7) day
7 period.
8
- 9 6. Any matter that needs to be added after the agenda has been sent to the Tribal
10 Council shall be brought to the Speaker for consideration to be placed on the agenda.
11
- 12 7. If the Speaker decides against placing the new item on the agenda, a two-thirds vote
13 of the council members present can add an item to the agenda.
14
- 15 8. The agenda shall be enforced by the Speaker and shall consist of the following:
16 a. Debate of proposed ordinance(s) and other business
17 b. Items that require action by the Tribal Council
18 c. Remarks by the Tribal Chairperson and/or Tribal Administrator should be
19 made in advance, with a written report provided to council.
20 d. Allowed time for community remarks. Community remarks shall not exceed
21 three (3) minutes per speaker.
22 (1) Each individual shall sign and state topic of comment they
23 shall list their name and district to the Speaker of the Tribal
24 Council or his delegate the purpose for their desire to speak
25 prior to the opening of the Tribal Council meeting at which
26 they desire to be heard.
27 e. A copy of the Community comment rules will be displayed on monitors before
28 each Tribal Council business meeting and also read prior to the Community
29 Comments by the Secretary or Speaker.
30
- 31 9. The Speaker shall preserve order and decorum. Decency of speech shall be
32 observed and disrespect to personalities carefully avoided. Any communication
33 device shall not interfere with the conduct of the meetings. Tribal Council Members will
34 not wear head coverings during any meetings.
35
- 36 10. All monthly business meetings of the Tribal Council shall open and close with a prayer.
37
- 38 11. All Council and committee meetings must be held in person, with the only exception(s)
39 being:
40 1. Tribally declared state of emergency, or
41 2. NC declared state of emergency, or
42 3. National declared state of emergency, or
43 4. Natural Disasters declared on Tribal Territory
44
- 45 These meetings can be held via teleconference, videoconference, etc., and
46 must provide two-way communication during the entire meeting. The method
47 being utilized must be stated at the opening of the meeting. Council members

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1 utilizing this method, must identify themselves clearly before speaking. The
2 tribal membership will be given access to community comments on any
3 meetings held via teleconference, videoconference and etc. A council
4 member participating by videoconference call will be counted as present at the
5 meeting for all purposes, but is considered absent from any portion of the
6 meeting during which audio or video communication with the member is lost or
7 disconnected.

- 8
- 9 12. All meetings of the Tribal Council shall follow and adhere to the Constitution, Tribal
10 Ordinances, Standing Rules of Order, latest edition of Robert's Rules of Order and or
11 the Common Law.
- 12
- 13 13. After an item has been introduced and a motion is on the floor:
- 14 a. The time limit on the debate shall be set at no more than fifteen (15) minutes,
15 unless a simple majority votes to extend the length of the debate.
- 16 b. No member may speak more than once on the issue, but may offer one
17 rebuttal to a comment of another council member. If a council member feels
18 compelled to make a comment after his or her first rebuttal has been made, he
19 or she can do so after everyone else has had an opportunity to speak.
- 20 c. A rebuttal shall be no longer than three (3) minute per person.
- 21
- 22 14. Voting – votes shall be either by voice vote or roll call vote.
- 23 a. Roll Call Vote – all votes that pertain to legislation (ordinances and
24 resolutions) and measures shall be by roll call vote.
- 25 b. Voice Vote – all other votes shall be by voice vote.
- 26
- 27 15. Informational Reports from Committees shall be limited to five (5) minutes. During the
28 report, the Committee Chairperson or designee shall report only their findings and
29 recommendations on matters undertaken by the Committee. Committees should
30 refrain from discussing matters in which they have no findings or recommendation to
31 report.
- 32
- 33 16. In event a regularly scheduled or special called meeting of Council is changed by a
34 majority vote of the Executive Committee, the Tribal Council's Secretary or his/her
35 designee shall notify members by phone or email in a timely manner.
- 36
- 37 17. All new items of interest embodied in ordinances shall be referred to the appropriate
38 committee.
- 39
- 40 18. The Speaker will extend recognition to prior members of the Lumbee Tribal Council,
41 Tribal Chairman, elected officials, and/or distinguished guests.
- 42
- 43 19. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
44 Officers and Decorum of Council Meetings are effective immediately upon adoption by
45 the Tribal Council.
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1 20. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
2 Officers and Decorum of Council Meetings shall be adopted at the first official session
3 of each new Tribal Council, unless the existing Rules are adopted.
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5 21. The Lumbee Tribal Council has the power of censure of a Tribal Council member in
6 accordance to an adopted tribal ordinance (*CLLO-2013-1105-002*).
7

8 22. LUMBEE TRIBE OF NORTH CAROLINA ETHICS AWARENESS & CONFLICT OF
9 INTEREST REMINDER (To be read by the Chair on his or her designee at the
10 beginning of each meeting). In accordance with Ethics and Conflict of Interest
11 Ordinance #2010-0312-01, it is the duty of every Council Member to avoid both
12 conflicts of interest and the appearances of a conflict of interest with regards to any
13 matters before the Council today. Does any Council Member have a known conflict of
14 interest or any perceived conflicts of interest with respect to any matters coming before
15 the Council today? If so, please refrain from participation in those particular
16 deliberations during the meeting. Any and all documents that require action by the
17 council shall be confidential in nature not distribution outside Council Members until
18 such action is voted on by full council.
19

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

21 a.

22 1. Hospitalization or Death of immediate family member (as defined by wife,
23 husband, parents, brother, sister, children and stepchildren).

24 2. Approved Tribal Business

25 b. A vote of a simple majority of the present council members is required to
26 approve an excused absence.
27

28 SECTION 3: COMMITTEES

29
30 1. All members of the Lumbee Tribal Council shall serve on at least one (1) committee. Each
31 standing committee must consist of a minimum of five (5) sitting Lumbee Tribal Council
32 members. This does not preclude other Council members from participating in committee
33 meetings.
34

35 2. Chairpersons of all Lumbee Tribal Council Standing Committees shall be elected annually at
36 the first formal Tribal Council meeting by a simple majority vote. The chairperson of said
37 committee shall call a meeting within fifteen (15) days for committee organization. All
38 interested Lumbee Tribal Council members are encouraged to attend. Committee
39 membership shall be chosen on a voluntary basis. In the event a committee minimum is not
40 achieved, then nominees shall be appointed by the chairperson. A member shall be removed
41 by a simple majority vote if they are absent for three (3) scheduled meetings unexcused. If
42 said removal places the committee total below the 5-member minimum, then that vacancy
43 shall be filled.
44

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

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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:

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

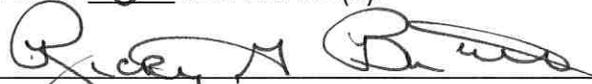
Sitting Council – Members that make up a whole.

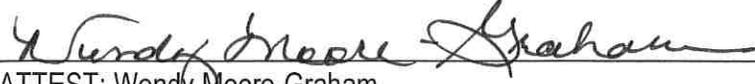
Informational Reports – A summary of Committee meetings that includes the Committee's findings and recommendations.

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," AT A MEETING OF THE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 15 MEMBERS WERE PRESENT, CONSTITUTION A QUORUM THIS THE 26th DAY OF MARCH, 2020 BY A VOTE OF 14 FOR 1 AGAINST 0 ABSTENTION(S).


ATTEST: Ricky Burnett 3-26-2020
Speaker, Tribal Council of the Lumbee Tribe of North Carolina DATE


ATTEST: Wendy Moore-Graham 3-26-2020
Designee Secretary, Tribal Council of the Lumbee Tribe of North Carolina DATE

ROLL CALL VOTE RESULTS TO AMEND

TCRR-2011-1215-01

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

14 FOR, 1 AGAINST, 0 ABSTENTION(S)

District 1:	Carvicous Barfield	YES
District 2:	Sharon Hunt	ABSENT
	Gerald Goolsby	YES
District 3:	James B. Hunt	ABSENT
	Pam Hunt	ABSENT
District 4:	Ted Woodell	ABSENT
District 5:	Wendy Moore-Graham	YES
	Jarrold Lowery	NO
District 6:	Larry Chavis	YES
	Douglas Locklear	ABSENT
District 7:	Reginald Oxendine	YES
	Yvonne Dial	YES
	Alvin Mercer	YES
District 8:	Corbin Eddings	YES
District 9:	Dewey J McNeill	YES
District 10:	Marshil Locklear	YES
District 11:	Frank Cooper	YES
District 12:	Shelley Strickland	YES
	Michael Chavis	ABSENT
District 13:	Ricky Burnett	YES
District 14:	Terry Hunt	YES