

## 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

### ***“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.

- 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:

## Duties & Decorum

- 1 (1) preside at meetings
- 2 (2) open meetings on time
- 3 (3) announce business
- 4 (4) recognize speakers
- 5 (5) state motions and put motions to a vote
- 6 (6) maintain order and enforce rules
- 7 (7) expedite business
- 8 (8) adjourn meetings
- 9 (9) sign documents
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- 11 b. Vice-Chairman – The Vice-Chairman shall preside over council meetings in
- 12 the absence of the Speaker. He or she should be willing and qualified to
- 13 serve as Chairperson (e.g. 35 years of age).
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- 15 c. Secretary – The Secretary is responsible for the minutes of the Tribal Council,
- 16 and should have writing skills and be able to file, maintain, notify, sign and
- 17 keep records of all proceedings of Council meetings and committee reports.
- 18 The Secretary shall:
- 19 (1) record minutes and file
- 20 (2) present minutes for approval
- 21 (3) prepare notice for meetings
- 22 (4) sign documents
- 23 (5) maintain tribal records
- 24
- 25 d. Treasurer – The Treasurer is responsible for preparing Tribal Budgets,
- 26 conducting a public hearing on budgets, and should be knowledgeable of
- 27 budgets, including preparation and monitoring of budgets, who shall oversee
- 28 council proceedings to prepare annual tribal budgets.
- 29 (1) present financial reports for review by Council members
- 30 (2) ensures that adequate financial controls exist to safely guard
- 31 Tribal assets
- 32 (3) ensure that there are sound fiscal policies and procedures
- 33 (4) sign documents
- 34 (5) serve as Finance Committee Chairperson
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- 36 e. Parliamentarian – The Parliamentarian shall be elected from the Council by a
- 37 simple majority vote, and should be knowledgeable of parliamentary rules
- 38 and procedure. The Parliamentarian shall:
- 39 (1) assist the Speaker in maintaining order in meetings to ensure
- 40 standard rules for the conduct of the meeting are adhered to
- 41 (2) be responsible for responding to any questions or concerns
- 42 regarding parliamentary procedure
- 43
- 44 2. Elections for such officers will be held annually, within fifteen (15) days, following the
- 45 swearing in of any newly elected Tribal Council member(s), unless otherwise
- 46 determined by a simple majority vote of the Council.
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- 1           3. It shall be the responsibility of the speaker to ensure that the monthly Tribal Council  
2 Business Meeting is opened and closed by prayer, with the exception of scheduled  
3 consecutive meetings at that time there will only be one opening and one closing  
4 prayer.  
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7 **SECTION 2. TRIBAL COUNCIL MEETINGS**  
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- 9           1. In accordance with Article VII, Section 1-b of the Constitution of the Lumbee Tribe, the  
10 Tribal Council shall adopt rules and regulations governing the Council's procedure and  
11 decorum.  
12           a. The Rules and Regulations shall be adopted by the Tribal Council following  
13 swearing in of any newly elected Tribal Council member(s), at the first official  
14 meeting of the Lumbee Tribal Council.  
15           b. A vote of two-thirds (2/3) of the sitting Council members shall be required to  
16 change or suspend the rules.  
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18           2. There shall be regular meetings of the Tribal Council as defined in a Resolution by the  
19 Tribal Council at the first annual meeting of each calendar year. The meetings for  
20 each calendar year shall be published and made available to the membership.  
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22           3. No proceeding of the Tribal Council shall take place in the absence of a quorum which  
23 shall consist of two-third (2/3) of the sitting council members, and all decisions of the  
24 Tribal Council shall require an affirmative vote of the majority of present council  
25 members. In determining what number constitutes two-thirds (2/3) of the sitting  
26 Council members, the number will be rounded up to the nearest whole number.  
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28           4. The Speaker shall, upon the request of one-third (1/3) or more of the Council members  
29 or the written request of the Tribal Chairperson, schedule a special session of the  
30 Tribal Council, with at least five (5) business days advance notice thereof to all  
31 members of the Tribal Council. Only in the most extreme of cases or circumstances  
32 can the Speaker with the approval of a majority vote of the officers, circumvent the five  
33 (5) day rule by calling an emergency meeting. Any request for a special session shall  
34 state the proposed agenda item and the special session shall be limited to  
35 consideration of the proposed agenda item. No business may be transacted if proper  
36 advance notice has not been provided to the members of the Tribal Council.  
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38           5. The Speaker shall prepare an agenda for every regular meeting with items presented  
39 to him/her for discussion and/or or action , with copies provided to each council  
40 member postmarked/emailed within five (5) business days in advance of the meeting.  
41 The Tribal Chairman and any others requesting to be added to the monthly council  
42 business meeting agenda with items presented for discussion and/or or action, must  
43 provide copies to each council member postmarked/emailed within five (5) business  
44 days in advance of the meeting. Supporting documents for an agendum item shall be  
45 filed with the Tribal Administrator for inclusion in mailed packages to the Tribal Council.  
46 To the extent possible, committees will refrain from conducting committee meetings  
47 during this seven (7) day period.

## Duties & Decorum

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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 a request be made in advance, and
  - 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 passed out and placed 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 greatest extent possible to the latest edition of Robert's Rules of Order unless otherwise provided by the Constitution or a Tribal Ordinance.
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.

## Duties & Decorum

- 1 14. Voting – votes shall be either by voice vote or roll call vote.
  - 2 a. Roll Call Vote – all votes that pertain to legislation (ordinances and
  - 3 resolutions) and measures shall be by roll call vote.
  - 4 b. Voice Vote – all other votes shall be by voice vote.
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- 6 15. Informational Reports from Committees shall be limited to five (5) minutes. During the
- 7 report, the Committee Chairperson or designee shall report only their findings and
- 8 recommendations on matters undertaken by the Committee. Committees should
- 9 refrain from discussing matters in which they have no findings or recommendation to
- 10 report.
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- 12 16. In event a regularly scheduled or special called meeting of Council is postponed or
- 13 cancelled, the Tribal Council Secretary or his/her designee shall notify members by
- 14 phone or email in a timely manner.
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- 16 17. All new items of interest embodied in ordinances shall be referred to the appropriate
- 17 committee.
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- 19 18. The Speaker will extend recognition to prior members of the Lumbee Tribal Council,
- 20 Tribal Chairman, elected officials, and/or distinguished guests.
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- 22 19. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
- 23 Officers and Decorum of Council Meetings are effective immediately upon adoption by
- 24 the Tribal Council.
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- 26 20. Standing Rules of Order and Regulations Governing the Duties of the Tribal Council
- 27 Officers and Decorum of Council Meetings shall be adopted at the first official session
- 28 of each new Tribal Council, unless the existing Rules are adopted.
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- 30 21. The Lumbee Tribal Council has the power of censure of a Tribal Council member in
- 31 accordance to an adopted tribal ordinance.
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1 SECTION 3: COMMITTEES

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

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

31 recommendations.

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33 Censure – A judgment or resolution condemning a person; specifically an official expression of

34 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 18 MEMBERS WERE PRESENT, CONSTITUTION A QUORUM THIS THE 19<sup>th</sup> DAY OF JANUARY, 2017 BY A VOTE OF 18 FOR**  
9 **0** AGAINST 0 ABSTENTION(S).

Bill James Brewington 01/26/2017  
ATTEST: Bill James Brewington DATE  
Tribal Council of the Lumbee Tribe of North Carolina

Jan Lowery 1/26/2017  
ATTEST: Jan Lowery 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 JANUARY 19, 2017

18 YES, 0 NO, 0 ABSTENSION(S)

District 1:	LaKishia Sweat	YES
District 2:	Terry Hunt	ABSENT
	Janie McFarland	YES
District 3:	Alton Locklear	YES
	Lesaudri Hunt	YES
District 4:	Jonathan Locklear	YES
District 5:	Bobby Oxendine	YES
	Jarrod Lowery	ABSENT
District 6:	Larry Chavis	YES
	Douglas Locklear	ABSENT
District 7:	Reginald Oxendine	YES
	Jan Lowery	YES
	Bill Brewington	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
	Shelley Strickland	YES
District 13:	Ricky Burnett	YES
District 14:	Barbara Lowery	YES