

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

MARCH 11, 2018
10:00 AM
TRIBAL TRANSIT FACILITY
1800 SYRACUSE AVENUE
NORFOLK, NEBRASKA

- I. CALL TO ORDER
 - a. Invocation
 - b. Roll Call
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - a. February 17, 2018
- IV. RATIFICATION OF ACTIONS
- V. EXECUTIVE SESSION
 - a. Osni/PEDCO Board Candidate Interview
- VI. CHAIRMAN'S REPORT
- VII. OUTSTANDING ACTION ITEM UPDATES
- VIII. ANDREA RODRIGUEZ, DOMESTIC VIOLENCE PROGRAM COORDINATOR
 - a. Sexual Assault Awareness Month – RESOLUTION
 - b. Elder Abuse Awareness Day – RESOLUTION
 - c. Missing & Murdered Native American Women and Girls – RESOLUTION
 - d. Participation in Elder Maltreatment Survey – RESOLUTION
- IX. HILARY FARLEY, INFORMATION TECHNOLOGY MANAGER
 - a. Network/Phone Connections Ralston Building RFP – MOTION
- X. STEPHANIE SLOBOTSKI, TRANSPORTATION PLANNER
 - a. PTN/City of Norfolk MOU – MOTION
 - b. NDOR 5311 Transit Grant Application – RESOLUTION
 - c. NDOR 5311 Vehicle Purchase – RESOLUTION (p.46-51)
 - d. Update on TTIP
- XI. JACOB OLSUFKA, DIRECTOR OF FINANCE
 - a. Requiring Direct Deposit – Employee Payroll – DISCUSSION
 - b. Executive Session Request
 - i. Gaming Invoice – MOTION
 - ii. Gaming Proposal – MOTION
- XII. JONATHAN ROBINSON, HR DIRECTOR
 - a. Executive Session
 - b. EDTA or Tribal Administrator Job Description Revised – MOTION
 - c. Best Care EAP Renewal – MOTION
 - d. Policy Updates – Revised
 - i. Bereavement Leave Policy – MOTION
 - ii. Sick Leave Policy – MOTION
 - iii. Emergency Closing Policy – MOTION

- XIII. ELISE EMANUEL, DIRECTOR OF GRANTS MANAGEMENT
 - a. Nebraska Arts Council Grant – RESOLUTION
 - b. CTAS Purpose Area 9 Grant Application – RESOLUTION
 - c. Grant Department Monthly Report
- XIV. LARRY VOEGELE, CHIEF EXECUTIVE OFFICER
 - a. New Clinic Position Job Descriptions
 - i. RN Telenursing Job Description – MOTION
 - ii. MA/LPN Lab Assistant Job Description – MOTION
 - b. JVCP Reimbursement – RESOLUTION
 - c. Authorization for DSGW to Proceed with Phase II – MOTION
- XV. NEW BUSINESS
 - a. Committee Appointments – MOTION
 - b. Youth Council Budget Request to Roll over into FY18-MOTION (Vice Chairwoman White)
 - c. Proposed Tax Commission Budget FY18 – MOTION (Vice Chairwoman White)
 - d. Brad Jolly Legal Billing Statement – MOTION
 - e. Request for Gaming Commissioners to Attend NIGA – MOTION (Chairman Wright)
 - f. Moving Monday Council Meetings to Sunday – DISCUSSION (Vice Chairwoman White)
- XVI. OTHER BUSINESS
- XVII. ADJOURN

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: February 20, 2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: March 12 2018

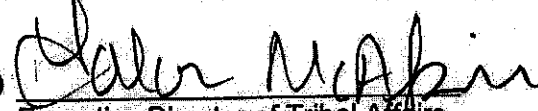
Subject: Resolution for Sexual Assault Awareness Month

ACTION REQUEST: (Please describe request in the form of a motion)

A resolution is needed for the Tribe to recognize April 2018 as Sexual Assault Awareness Month

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Andrea Rodriguez, Domestic Violence Program Coordinator

APPROVED 
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: In Indian Country, an alarming number of Native women experience physical, sexual, or emotional abuse as part of a controlling or violent dating relationship. The consequences of dating violence poses a threat to the health and well-being of women and men in our communities, and it is essential we come together to break the cycle of violence that burdens too many of our people. This month, we are committed to providing critical support and services for victims of sexual assault and empowering survivors with the tools to cultivate healing; and

WHEREAS: During the month of April, we as a tribal government, programs, and communities, will work to raise awareness about the prevalence of sexual violence in our communities because of the atrocious impact it has on our people's lives; and

WHEREAS: Recent statistics from the Department of Justice indicate one in three American Indian and Alaska Native women will be sexually assaulted during their lifetime—a rate more than twice the national average; and

WHEREAS: Survivors of sexual assault have the highest rate of Post-Traumatic Stress Disorder than any other survivor of violent crimes and may lead to depression and possible suicide attempts; and

WHEREAS: Ponca Tribe of Nebraska, our programs, staff, and partnering agencies strive to support and empower survivors of sexual assault throughout their healing journey; and

WHEREAS: By providing our communities with education about awareness, programs, and services available to increase awareness to develop healthy relationships and relationship skills and by changing attitudes that support violence, we recognize that sexual violence can be prevented; and

WHEREAS: The Ponca Tribe of Nebraska Sexual Assault Awareness and Prevention Month will focus on youth and adult prevention and awareness, mental health, and sexual assault bystander intervention.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council does hereby proclaim April as Sexual Assault Awareness and Prevention Month in our tribal nation, and encourages all of our citizens to partake in sexual assault awareness events.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribal Council on the 11th day of March 2018, at a duly called meeting held in Norfolk, Nebraska by a vote of ____ Ayes; ____ Nays; ____ Abstained; ____ Absent. Chairperson ____ voting ____ not voting. A Quorum of ____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: February 20, 2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell five (5) working days before the meeting.

Meeting of: Tribal Council
 Executive Committee

Meeting Date: March 12 2018

Subject: Resolution for Elder Abuse Awareness Day

ACTION REQUEST: (Please describe request in the form of a motion)

A resolution is needed for the Tribe to recognize June 15, 2018 as Elder Abuse Awareness Day

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Andrea Rodriguez, Domestic Violence Program Coordinator

APPROVED


Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: Native American elders are valued members of society and it is our collective responsibility to ensure they live safely and with dignity, and the Tribe, by enacting this resolution, is recognizing the importance of protecting our elders from abuse and mistreatment; and

WHEREAS: The Tribe is acknowledging that our elders are the link to our past, present, and future and are valuable resources to the Tribe's traditions, culture, and knowledge and should so be protected and safe from abuse; and

WHEREAS, The Ponca Tribe of Nebraska, our programs, staff, and partnering agencies recognize the vital role we must play in ending all forms of violence toward Native American elders and to observe June 15, 2018 with appropriate awareness activities of such cause; and

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council does hereby proclaim June 15, 2018 as Elder Abuse Awareness Day in our tribal nation, and encourages all of our citizens to partake in awareness events.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribal Council on the 11th day of March 2018, at a duly called meeting held in Norfolk, NE, by a vote of _____ Ayes; _____ Nays; _____ Abstained; _____ Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: February 20, 2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: March 12 2018


Subject: Resolution for Missing and Murdered Native American Women and Girls

ACTION REQUEST: (Please describe request in the form of a motion)

A resolution is needed for the Tribe to recognize May 5 2018 as National Day of Awareness for Missing and Murdered Native American Women and Girls

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Andrea Rodriguez, Domestic Violence Program Coordinator

APPROVED 
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: In Indian Country, a congressional study found that homicide was the third leading cause of death among Native American women ages 15-to-34; and

WHEREAS: On May 5, 2018, we as a tribal government, programs, and communities, will work to raise awareness about the alarming rate of homicide, abduction, and human trafficking of Native American women and girls; and

WHEREAS: The Ponca Tribe of Nebraska, our programs, staff, and partnering agencies recognize the vital role we must play in ending all forms of violence toward Native American women and girls and to observe May 5, 2018 with appropriate awareness activities of such cause; and

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council does hereby proclaim May 5, 2018 as National Day of Awareness for Missing and Murdered Native American Women and Girls in our tribal nation, and encourages all of our citizens to partake in awareness events.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribal Council on the 11th day of March 2018, at a duly called meeting held in Norfolk, NE, by a vote of _____Ayes; _____Nays; _____Abstained; _____Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-__

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council shall exercise legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in constitution; and

WHEREAS: The prevalence of elder abuse, neglect, and exploitation concerns are a developing issue among tribal communities, is an increasing unmet need in tribal communities; and

WHEREAS: The National Indigenous Elder Justice Initiative (NIEJI) Innovation Program has received funding through the Administration for Community Living (ACL), to provide technical assistance, generate awareness about elder abuse policy development, and infrastructure building for reporting, investigating, and intervention for American Indian, Alaska Native, and Native Hawaiian elderly and assist these groups in conducting a survey assessment and will research and disseminate the results of the research; and

WHEREAS: Summary information from the Tribe's elder maltreatment survey, along with a national comparison report, will be returned to the Ponca Tribal Council and the Domestic Violence Program; and

WHEREAS: The confidentiality of enrolled members and Tribal information is of the utmost importance; therefore, the information in this survey will be collected anonymously by Domestic Violence program staff with the information stored at the UND School of Medicine and Health Sciences within a locked file cabinet and destroyed after a period of three years.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska hereby authorizes participation in the *Native Elder Maltreatment Survey*. The Tribal Council grants permission to the National Indigenous Elder Justice Initiative Innovation Program at Center for Rural Health at University of North Dakota to use all collected needs assessment information in aggregate format for the purpose of disseminating state, regional, and national results from analyses of the data.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing resolution was duly authorized and passed by the Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting held in Norfolk, Nebraska on the 11th day of March 2018 by a vote of _____ Ayes; _____ Nays; _____ Abstained; _____ Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 3 / 2 / 18

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3 / 11 / 2018

Subject: Network/Phone Connections Ralston Building

ACTION REQUEST: (Please describe request in the form of a motion)
Motion to approve RFP for Cox Communications for Network and Phone services to Omaha Ralston Building.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Hilary Farley

APPROVED _____
CEO

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 3/1/18

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5)** **working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3/12/18

Subject: Approvals Transit and Transportation

ACTION REQUEST: (Please describe request in the form of a motion)

1. MOU approval/motion. No work to be done but this was sent back to the Tribe from a previous submitted inventory so just trying to get everything cleaned up on RIFDS.
2. NDOR 5311 Transit grant application and budget approval/motion
3. NDOR 5311 Vehicle purchase grant application approval/motion
4. Update on TTIP

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Stephanie Slobotski

APPROVED Falon McAlpin Digitally signed by Falon McAlpin
Date: 2018.03.01 14:30:07 -06'00'
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: The Tribe has the authority to submit an application on behalf of the Native American individuals in the Tribe and to administer programs and activities under this program; and

WHEREAS: Article 1 of the Ponca Tribe of Nebraska's Constitution affirms, "the territorial jurisdiction of the Ponca Tribe of Nebraska under [their] Constitution shall extend to all trust or tribal lands and as described by metes and bounds in the Treaties heretofore ratified by the Congress of the United States of America and shall cover all future additions that are within or without said boundary lines that may be acquired by the Ponca Tribe of Nebraska...regardless if the eligible lands are under the control of the Ponca Tribe of Nebraska at the time of the adoption of [their] Constitution; and

WHEREAS: The Ponca Tribe of Nebraska has identified specific funding needs to best serve the Ponca members and others who utilize services for transportation, and hereby request funding from the Nebraska Department of Roads 5311 Federal Transit Administration Program to support the Ponca Express Transit Program during Project Year: July 1, 2018 thru June 30, 2019.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council approves the 5311 Application for Public Transportation Operating Assistance thru the Nebraska Department of Roads and Federal Transit Administration for project year 2018-2019.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribal Council on the 11th day of March, 2018, at a duly called meeting held in Norfolk, Nebraska, by a vote of ____ Ayes; ____ Nays; ____ Abstained; ____ Absent. Chairperson ____ voting ____ not voting. A Quorum of ____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: The Tribe has the authority to submit an application on behalf of the Native American individuals in the Tribe and to administer programs and activities under this program; and

WHEREAS: Article 1 of the Ponca Tribe of Nebraska's Constitution affirms, "the territorial jurisdiction of the Ponca Tribe of Nebraska under [their] Constitution shall extend to all trust or tribal lands and as described by metes and bounds in the Treaties heretofore ratified by the Congress of the United States of America and shall cover all future additions that are within or without said boundary lines that may be acquired by the Ponca Tribe of Nebraska...regardless if the eligible lands are under the control of the Ponca Tribe of Nebraska at the time of the adoption of [their] Constitution; and

WHEREAS: The Ponca Tribe of Nebraska has identified specific funding needs to best serve the Ponca members and others who utilize services for transportation, and hereby request funding from the Nebraska Department of Roads 5311 Vehicle Application for Federal Transit Administration Funding to replace four vehicles in our current fleet; and

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council approves the 5311 Vehicle Application for Federal Transit Administration Funding thru the Nebraska Department of Roads and Federal Transit Administration for project year 2018-2019 and will provide the local match in the amount of \$10,600 for these purchases.

CERTIFICATION

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ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

DATE SUBMITTED: 3/2/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3/11/18

Subject: Requiring Direct Deposit – Employees Payroll

ACTION REQUEST: (Please describe request in the form of a motion)

Discussion on current practice for paying employees and input on moving into a paperless system for payroll.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Jacob Olsufka

APPROVED Jacob Olsufka
Director of Finance

Digitally signed by Jacob Olsufka
DN: cn=Jacob Olsufka, o=Ponca Tribe of
Nebraska, ou=DOF,
email=jolsufka@poncatrbe-ne.org, c=US
Date: 2018.03.02 13:59:22 -06'00'

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 3/2/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5)** **working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3/11/18

Subject: EDTA OR Tribal Administrator Job Description - Revised

ACTION REQUEST: (Please describe request in the form of a motion)

- Motion to approve the EDTA job Description – Revised
- OR
- Motion to approve the Tribal Administrator Job Description – Revised

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Jonathan Robinson

APPROVED 
EDTA/CEO/DOF/HRD

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 3/2/2018

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3/11/18

Subject: Best Care EAP Renewal

ACTION REQUEST: (Please describe request in the form of a motion)

- Motion to approve Best Care EAP Renewal.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Jonathan Robinson

APPROVED 
EDTA/CEO/DOF/HRD

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 3/2/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 3/11/18

Subject: Policy Updates - Revised

ACTION REQUEST: (Please describe request in the form of a motion)

- Motion to approve Bereavement Leave Policy to include the clarification under the definition of Immediate Family – Revised
- Motion to approve the Sick Leave Policy – Revised
- Motion to approve the Emergency Closing Policy – Revised

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Jonathan Robinson

APPROVED


EDTA/CEO/DOF/HRD

AGENDA ITEM REQUEST

(For employees only)

DATE SUBMITTED: 02/21/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell five **(5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 03/11/2018

Subject: Nebraska Arts Council Grant

ACTION REQUEST: (Please describe request in the form of a motion)
Approval for Elise Emanuel, Director of Grant Management, to submit an application for funding to the Nebraska Arts Council.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Elise Emanuel
Director of Grant Management

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: The Tribe has the authority to submit an application on behalf of the Native American individuals in the Tribe and to administer programs and activities under this program; and

WHEREAS: Events such as the Tribe's annual powwow serve to strengthen tribal culture;

WHEREAS: A Nebraska Arts Council grant would allow the Tribe to host its annual Ponca Powwow Celebration in Niobrara, Nebraska;

THEREFORE, BE IT RESOLVED that the Director of Grant Management, Elise Emanuel, is approved to submit the application for funding administered by the Nebraska Arts Council on behalf of the Ponca Tribe of Nebraska.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribal Council on the 11th day of March, 2018, at a duly called meeting held at Norfolk, Nebraska, by a vote of _____Ayes; _____Nays; _____Abstained; _____Absent. Chairperson _____voting _____not voting. A Quorum of _____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 03/02/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 03/11/2018

Subject: Resolution for CTAS Purpose Area 9 Grant Application

ACTION REQUEST: (Please describe request in the form of a motion)

Requesting a Tribal Council resolution to authorize an application for the Coordinated Tribal Assistance Solicitation (CTAS) Purpose Area 9 (PA9) Tribal Youth Program (TYP) Grant Application from the funding agency: Office of Juvenile Justice and Delinquency Prevention (OJJDP)

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Elise Emanuel
Director of Grant Management

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P.L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: The Tribe has the authority to submit an application on behalf of the Native American individuals in the Tribe and to administer programs and activities under this program; and

WHEREAS: OJJDP's Tribal Youth Program (TYP) seeks to support and enhance tribal efforts to prevent and reduce juvenile delinquency and strengthen a fair and beneficial juvenile justice system response for Native American youth.

WHEREAS: A Tribal Youth Program grant would allow the Tribe to provide prevention services designed to impact risk factors for delinquency and promote protective factors for Native youth.

THEREFORE, BE IT RESOLVED that the Director of Grant Management, Elise Emanuel, is approved to submit the application and bestowed the authority to sign and accept obligations on behalf of the Ponca Tribe of Nebraska for funding administered by the Department of Justice Office on Juvenile Justice and Delinquency Prevention.

CERTIFICATION

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ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 03/02/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 03/11/2018

Subject: New Clinic Position Job Descriptions

ACTION REQUEST: (Please describe request in the form of a motion)

1. Motion to approve RN Telenursing Job Description
2. Motion to approve MA/LPN Lab Assistant Job Description.

Note: one additional RN level and one additional MA/LPN level position were included in the previously approved master-contract budget proposal.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Larry A Voegele

APPROVED 
Chief Executive Officer

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 02/22/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 03/11/2018

Subject: JVCP Reimbursement Resolution

ACTION REQUEST: (Please describe request in the form of a motion)
Reimbursement Resolution – allows us to include present JVCP costs into the future bond issue.

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Larry A Voegele

APPROVED 
Chief Executive Officer

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 18-_____

WHEREAS: The Ponca Tribe of Nebraska is a federally recognized Indian Tribe (P. L. 101-484) whose business affairs are conducted by the Ponca Tribal Council as defined in the Constitution approved July 22, 1994 by the Acting Deputy Commissioner of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska, the Ponca Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in the constitution; and

WHEREAS: The United States Department of the Treasury has promulgated final regulations under the Internal Revenue Code of 1986, as amended (the "Code"), that impose requirements on the Ponca Tribe of Nebraska (the "Tribe"), as Issuer, when it desires to reimburse itself for capital expenditures relating to the capital projects described herein from the proceeds of its tax-exempt or tax-favored debt obligations or other tax-exempt debt obligations issued on its behalf; and

WHEREAS: The Ponca Tribal Council has determined that it is necessary to rehabilitate, improve, equip and furnish a health care facility for the Tribe (collectively, the "Project") and to finance the costs of such Project with the proceeds of tax-exempt or tax-favored debt obligations to be issued by the Tribe or by an entity authorized to issue such obligations; and

WHEREAS: The Ponca Tribal Council anticipates that the Tribe or an affiliate thereof will spend its moneys to pay Project costs (the "Prior Capital Expenditures") prior to the issuance of any tax-exempt or tax-favored debt obligations; and

WHEREAS: The Tribe or such affiliate reasonably expects to be reimbursed for Prior Capital Expenditures with proceeds of tax-exempt or tax-favored debt obligations to be issued by the Tribe or by an entity authorized to issue such obligations (the "Reimbursement Debt") in the maximum principal amount of \$30,000,000 plus such additional principal amount necessary to pay costs of issuance and to fund any reserves; and

WHEREAS: The Ponca Tribal Council expects that the Reimbursement Debt will be incurred and allocated to reimburse the Prior Capital Expenditures no later than 18 months after the later of (a) the date on which it pays the Prior Capital Expenditures, or (b) the date on which the Project is placed in service, but in no event not later than 3 years after the original date of such Prior Capital Expenditures, or (c) such other date that is permitted by law; and

WHEREAS: The Ponca Tribal Council finds it necessary to adopt this Resolution to ensure that its declaration of intent to reimburse the Tribe or any affiliate thereof for such Prior Capital Expenditures satisfies the "Official Intent Requirement" described in Treasury Regulations Section 1.150-2 (the "Regulations").

THEREFORE BE IT RESOLVED that the Ponca Tribal Council hereby declares the official intent of the Tribe to reimburse itself or any affiliate thereof for the Prior Capital Expenditures relating to the Project out of the proceeds of the Reimbursement Debt to be issued by the Tribe or by an entity authorized to issue such obligations on its behalf and, with such declaration, the Tribe hereby satisfies the "Official Intent Requirement" of the Regulations.

BE IT FURTHER RESOLVED that, other than (a) expenditures to be paid or reimbursed from sources other than the Reimbursement Debt, (b) expenditures constituting "preliminary expenditures" within the meaning of Section 1.150-2(f)(2) of the Regulations, or (c) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have been paid by the Tribe or an affiliate thereof more than 60 days prior to the date of execution and delivery of this Resolution.

BE IT FURTHER RESOLVED that this Resolution does not constitute approval of any kind with respect to the issuance of the Reimbursement Debt or any other tax-exempt or tax-favored debt obligations and does not legally or morally obligate the Tribe or other entity to issue such obligations on its behalf.

BE IT FURTHER RESOLVED that this Resolution shall be operative, effective and valid upon its passage.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing resolution was duly authorized and passed by the Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting held in Norfolk, Nebraska on the ____ day of March, 2018 by a vote of ____ Ayes; ____ Nays; ____ Abstained; ____ Absent. Chairperson ____ voting ____ not voting. A Quorum of ____ was present.

ATTEST

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 02/28/2018

All agenda item requests must be approved by the Tribal Business Manager and forwarded to the Niobrara Office, Attn: Jan Colwell **five (5) working days before the meeting.**

Meeting of: Tribal Council
 Executive Committee

Meeting Date: 03/11/2018

Subject: ~~JVGP Reimbursement Resolution~~ *DSGW to proceed w/Phase II - Omaha*

ACTION REQUEST: (Please describe request in the form of a motion)
Motion – Authorization for DSGW to proceed with Phase II activities (included under current signed contract).

Will there be support materials for this agenda item? Yes No
(If there are support materials, one copy must be attached)

Submitted By: Larry A Voegele

APPROVED *Larry A Voegele*
Chief Executive Officer