

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

JULY 10, 2017

10:00 AM

TRIBAL TRANSIT FACILITY
1800 SYRACUSE AVENUE
NORFOLK, NEBRASKA

- I. CALL TO ORDER
 - a. Roll Call
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - a. June 24, 2017
 - b. June 25, 2017
- IV. RATIFICATION OF ACTIONS
- V. CHAIRMAN'S REPORT
- VI. ACTION ITEM UPDATES
- VII. LAW & ORDER CODE – TITLE III & IV REVISED – FIRST READING
- VIII. BILL YUNKER, DIRECTOR OF FACILITIES & RISK MANAGEMENT
 - a. Pow Wow Grounds Project Update
 - b. Utilize Santee Sioux Tribal Court and/or Ponca Tribal Court Youth Community Service Programs - MOTION
- IX. JONATHAN ROBINSON, HUMAN RESOURCE DIRECTOR (Lifesize)
 - a. Holiday Policy Revised – MOTION
- X. STEPHANIE POSPISIL, DIRECTOR OF SOCIAL SERVICES (Lifesize)
 - a. Limited English Proficiency Plan – MOTION
 - b. Family Violence Prevention and Services Funding – RESOLUTION
 - c. Domestic Violence Service Contract – MOTION
 - d. ICWA Quarterly Report
- XI. ELISE EMANUEL, GRANT MANAGER (Lifesize)
 - a. ANA I-LEAD Grant Application – RESOLUTION
- XII. JESSIE HOVER, HEALTH PLANNER (Lifesize)
 - a. Rural Chronic Disease Home Monitoring Project – RESOLUTION
- XIII. ROBIN ARREGUIN, DIRECTOR-CSP
 - a. Child Support Program Monthly Report
 - b. Approval of Policy & Procedures – MOTION
- XIV. LARRY VOEGELE, CHIEF EXECUTIVE OFFICER (Lifesize)
 - a. Midwife Contract Renewal – MOTION
- XV. NEW BUSINESS
 - a. Brad Jolly Legal Billing Statement – MOTION
 - b. Holland Knight Legal Billing Statements – MOTION (Chairman Wright)
 - c. September 16-17 Tribal Council Meeting Update (Chairman Wright)
 - d. Committee Appointments – MOTION
- XVI. OSNI PONCA, LLC
 - a. Line of Credit Consolidation Documents – RESOLUTION
- XVII. OTHER BUSINESS
- XVIII. ADJOURN

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LAW AND ORDER CODE REVISION
****** NOTICE: All Tribal Members ******
FIRST READING – JULY 10, 2017

The Tribal Council will be discussing amending the Law and Order Code. Please take your time to read this FLYER

The Ponca Tribal Council will be proposing significant amendments to Title III Child Welfare and Title IV Domestic Relations of the Law and Order Code. A good portion of Title III will be amended, and portions of Title IV will be removed since they will be covered in Title III. The revisions are being considered to ensure that the Ponca culture is adequately reflected in the Law and Order Code.

CHANGES TO TITLE III OF CODE BEING CONSIDERED INCLUDE

- **Recognition of Customary Adoptions**
- **Establishment of an ICWA Board**
- **More information required before Emergency guardianship is granted**

CHANGES TO TITLE IV OF CODE BEING CONSIDERED INCLUDE

- **Removal of Adoption Portion since it will be covered in Title III**
- **Removal of Guardianship Portion since it will be covered in Title III**

A complete copy of the proposed amendments is available at the tribal offices, or one may be obtained by contacting Jan Colwell, Tribal Council Secretary at 402-857-3391.

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/28/17

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: X Tribal Council
 _____ Executive Committee

Meeting Date: 7/10/17

Subject: 1) Powwow Grounds Project update
 2) Motion to utilize the Santee Sioux Tribal Court and/or Ponca Tribal Court youth community service programs for use with the needs of the Ponca Trail and any other facility needs as deemed appropriate.

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

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

Submitted By: William E. Yunker, Sr.

APPROVED Thomas Wright
 Executive Director of Tribal Affairs

Digitally signed by Thomas Wright
DN: cn=Thomas Wright, o=Ponca Tribe of Nebraska,
ou, email=twright@poncatrbe-ne.org, c=US
Date: 2017.06.29 12:23:32 -05'00'

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/30/17

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: 7/10/17

Subject: Holiday Policy Revised

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

- Motion to approve the holiday 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 Jonathan Robinson
EDTA/CEO/DOF/HRD

Digitally signed by Jonathan Robinson
DN: cn=Jonathan Robinson, o=Ponca Tribe of Nebraska,
ou=Human Resources Director, email=jrobinson@poncatribenear.org, c=US
Date: 2017.06.30 00:38:09 -05'00'

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/29/2017

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: XX Tribal Council
_____ Executive Committee

Meeting Date: 7/10/2017

Subject: Limited English Proficiency Plan

ACTION REQUEST: (Please describe request in the form of a motion)
Motion to approve the Limited English Proficiency Plan for the Ponca Tribe Domestic Violence Program.

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

Submitted By: Stephanie Pospisil

APPROVED 
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: June 29, 2017

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: XX Tribal Council
 _____ Executive Committee

Meeting Date: July 10, 2017

Subject: Family Violence Prevention and Services funding

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

Request that Council approve a resolution in support of the Grant Manager and Department of Social Service's submission of the FY 2018 funding request to the Administration for Children and Families for Family Violence Prevention and Services (FVPSA) funding.

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

Submitted By: Stephanie Pospisil, Social Services Director

APPROVED 
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 17-__

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 Tribe has the authority to submit an application on behalf of the Native American individuals in the Tribe and to administer programs and activities funded under this program for FY2018 with an expiration of September 30, 2018; and

WHEREAS: The Ponca Tribe of Nebraska acknowledges the importance of providing direct services to victims and education to community members, law enforcement, victim service providers, and Tribal staff to ensure the needs of domestic violence, sexual assault, dating violence, and stalking victim/survivors are dealt with in a professional and compassionate manner. We also have taken on the responsibility to ensure that future generations are taught about the traditional Ponca methods of respect for women and children; and

WHEREAS: The Ponca Tribal Council has identified this grant opportunity as a funding source to support the efforts related to developing the capacity of the Tribe to address family and domestic violence issues for Tribal members and Native Americans within our service delivery area.

THEREFORE, BE IT RESOLVED that the Grant Manager is hereby directed and authorized to submit this proposal for funding to the Administration for Children and Families.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and forgoing 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 July 2017 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: June 28, 2017

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: XX Tribal Council
_____ Executive Committee

Meeting Date: July 10, 2017

Subject: Domestic Violence Service Contract

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

Motion to approve the Domestic Violence Service Contract with the State of Nebraska from July 1, 2017 to June 30, 2018.

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

****DV Service Contract is attached****

Submitted By: Stephanie Pospisil, Social Services Director

APPROVED 
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 6/29/2017

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: 7/10/2017

Subject: ICWA Discussion

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

ICWA Update to include Qualified Expert Witness

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

Submitted By: Stephanie Pospisil

APPROVED _____
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/30/17

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: 7/10/17

Subject: ANA I-LEAD

ACTION REQUEST: (Please describe request in the form of a motion)
Requesting motion to approve a resolution in support of ANA I-LEAD grant application.

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
Grant Manager

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 17-_____

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: The purpose of the I-LEAD program is to emphasize a comprehensive, culturally-appropriate approach to ensure that all young Native people can thrive and reach their full potential by fostering Native youth resilience, capacity building, and leadership; and

WHEREAS: The Native American community served by the Ponca Tribe of Nebraska was involved in the project planning process; and

WHEREAS: The Tribe's Education Department has developed a project that promotes Native youth leadership development to instill confidence in Ponca youth of their value and potential, and activities that foster leadership and skills-building; and

WHEREAS: The Tribe is in support of this project for the entire 36-month project period, and will assist in meeting the matching funds of approximately \$60,000.00 per year each year.

THEREFORE, BE IT RESOLVED that the Grant Manager, Elise Emanuel, is approved to submit the application for funding administered by the Administration for Community Living (ACL)/Administration for Native Americans (ANA) 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 10th day of July, 2017, 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: 6/30/17

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: 7/12/17

Subject: Rural Chronic Disease Home Monitoring Project

ACTION REQUEST: (Please describe request in the form of a motion)
Resolution to support application for USDA funding to purchase remote telehealth home monitoring equipment for hypertension and diabetes management.

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

Submitted By: Jessie Hover

APPROVED *Jan A. Vayle*
Chief Executive Officer

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 17-_____

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: United States Department of Agriculture (USDA) Rural Utilities Service has made available funding through the competitive Distance Learning and Telemedicine Grant Program to support the acquisition of eligible equipment/infrastructure, instructional programming, and technical assistance/instruction for equipment for areas with 5,000 or fewer residents; and

WHEREAS: A high proportion of rural users of Ponca Health Services have been diagnosed with diabetes and/or hypertension and could benefit from enhanced clinical support through remote telehealth home monitoring services.

THEREFORE, BE IT RESOLVED that the Tribal Health Planner, Jessie Hover is approved to submit the application for funding administered by the USDA Rural Utilities Service 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 _____ day of July 2017, 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: 6/30/17

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: July 10th, 2017

Subject: Approval of Policy and Procedures

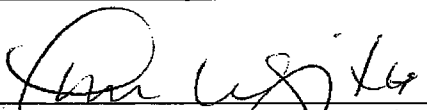
ACTION REQUEST: (Please describe request in the form of a motion)

Motion to approve Policy and Procedures

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

Submitted By: Robin E. Arreguin Director PTN CSP

APPROVED


Executive Director of Tribal Affairs

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/30/17

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 7/12/17

Subject: Midwife Contract Renewal

ACTION REQUEST: (Please describe request in the form of a motion)
Motion to approve midwife contract renewal – Title V/3P funded. Generates more income than costs.

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

Submitted By: Larry Voegele

APPROVED 
Chief Executive Officer