

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

MARCH 2, 2020
5:00 PM
LIFESIZE

- I. CALL TO ORDER
 - a. Roll Call
- II. APPROVAL OF AGENDA
- III. EXECUTIVE SESSION
 - a. NPHA Board of Commissioners Interviews
- IV. APPOINTMENT TO THE NPHA BOARD - RESOLUTION
- V. CONSENT CALENDAR
 - a. February 24, 2020
 - b. Ratifications
- VI. CHAIRMAN'S REPORT
- VII. LAW & ORDER CODE REVISED – TITLE XII TAXATION – SECOND READING – RESOLUTION
- VIII. JACOB OLSUFKA, CHIEF FINANCIAL OFFICER
 - a. Fiscal Year 2021 Indirect Cost Proposal – MOTION
- IX. LARRY VOEGELE, CHIEF BUSINESSES/TECHNOLOGY OFFICER
 - a. Title V Maternal & Child Health Services Grant - RESOLUTION
- X. OTHER BUSINESS
- XI. ADJOURN

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 20-_____

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 affairs of the Northern Ponca Housing Authority shall be managed by a Board of Commissioners composed of five (5) persons who shall be appointed by the Ponca Tribe of Nebraska Tribal Council; and

WHEREAS: _____ was appointed to the Northern Ponca Housing Authority Board of Commissioners to represent District #3 (Position #4).

THEREFORE, BE IT RESOLVED that the Ponca Tribal Council hereby appoints _____ to serve District 3 – Position #4 on the Northern Ponca Housing Authority Board of Commissioners with a term to expire on May 31, 2022.

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 via Lifesize on the ____ day of February, 2020 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 Schmidt, Secretary
Ponca Tribe of Nebraska

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 20-_____

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 Ponca Tribal Council has reviewed the proposed amendments to the Ponca Tribe of Nebraska Law & Order Code Title XII – Taxation; and

WHEREAS: The proposed amendments are being considered will add a Service Tax Section; exempt sales where gross receipts is not more than small purchase threshold in procurement policies or regulations of the Tribe; and exempt sales of gambling devices regulated by laws of the Tribe.

WHEREAS: The proposed amendments to the Law & Order Code Title XII – Taxation was placed on the February 17, 2020 Tribal Council Agenda to allow comments from the public and on February 24, 2020 and March 2, 2020 for first and second readings respectively. A notice of intent to amend the Law & Order Code Title XII – Taxation was mailed to all heads of household at least 14 days prior to any final action satisfying the requirements for the adoption, amendment, or abolishment of Ordinances.

THEREFORE BE IT RESOLVED that the Ponca Tribal Council approves the amendments to the Ponca Tribe of Nebraska Law & Order Code Title XII – Taxation.

BE IT FURTHER RESOLVED that these amendments shall take effect _____.

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 via Lifesize on the ____ day of March, 2020 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 Schmidt, Secretary
Ponca Tribe of Nebraska

CHAPTER 4
SALES TAX

Section 12-4-1. Purpose. The purpose of the tax imposed on sales pursuant to this Chapter is:

1. To regulate and monitor retail sales made by the economic enterprises of the Tribe and otherwise within the territory of the Tribe;

2. To support tribal government, tribal public improvement programs, and tribal infrastructure that benefit members of the Tribe and others within the territory of the Tribe;

3. To raise revenues to help fund health, safety, economic development and general welfare programs and services provided to members of the Tribe and others within the territory of the Tribe.

Section 12-4-2. Definitions. Unless the context requires otherwise or another definition is provided for a particular section, in this Chapter:

1. "Buyer" means, without limiting the scope thereof, a person who receives goods from a seller in exchange for money, other goods, or services delivered to the seller.

2. "Complimentary" means the provision of goods without charge to a person.

3. "Food" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value, but does not include dietary supplements.

4. "Goods" means tangible personal property which may be seen, weighed, measured, felt, or touched or which is in any other manner perceptible to the senses.

5. "Gross receipts" means the total amount of the sales of a seller either on Tribal lands or outside Tribal lands, exclusive of any rebates.

6. "Occasional sale" means:

a. A sale of an individual's own property at his or her residence or at an online auction site, including garage sales, provided such sales do not occur for more than seven (7) days during a calendar year and the individual does not conduct or engage in a trade or business of selling similar items;

b. Sales of goods solely from an individual's primary residence or at an online auction site with gross receipts of less than \$10,000 per year even if the individual is engaged in a trade or business of selling goods;

c. Sales of goods for a period of less than seven (7) consecutive days at a time, such as sales by a vendor at a powwow or similar cultural event, flea market, craft show, antique show, coin show, stamp show, comic book show, convention exhibit area, school or community-based fundraising event, or similar selling event;

d. Sales of household goods or personal farm equipment at auction by an auctioneer, provided the auctioneer has five (5) or fewer auctions per year;

e. Sales made at public auction pursuant to the laws of the Tribe by the Commission or another department or agency of the Tribe.

7. "Prepared foods" means:

a. Food intended for immediate consumption either on or off the premises of the seller;

b. Food sold in a heated state or heated by the seller;

c. Food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws;

d. Two or more food ingredients mixed or combined by the seller for sale as a single item, except for:

i. Bakery items, including, but not limited to, bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, tortillas;

ii. Ready-to-eat meat and seafood in an unheated state sold by weight;

iii. Eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer so as to prevent food borne illnesses; and

iv. Food that is only sliced, repackaged, or pasteurized by the seller; or

e. Food otherwise sold in or by restaurants, cafes, lunch counters, cafeterias, other eating establishments, hotels, gaming establishments, social clubs, nightclubs, cabarets, resorts, snack bars, caterers, carryout shops, convenience stores, and other like places of business at which prepared food or drink is regularly sold, including sales from pushcarts, motor vehicles, and other mobile facilities.

8. "Retail sale" means any sale made for any purpose other than for resale or further processing, but includes any goods purchased at wholesale and withdrawn from stock to be used or consumed in the business or by the owner or any other person, whether or not in the regular course of business or trade.

9. "Sale" means the transfer of ownership of, title to, or possession of goods for money, other goods, services, or other valuable consideration, including bartering, trading, exchanging, renting, leasing, conditional sales, and any sales where possession of goods is given to the buyer but title is retained by the seller as security for the payment of the purchase price.

10. "Seller" means the person making a sale to a buyer.

11. "Soft drinks" means non-alcoholic carbonated beverages and other non-alcoholic beverages that contain natural or artificial sweeteners, but does not include beverages that contain milk or milk products, soy, rice, or similar milk substitutes, or greater than fifty percent (50%) of vegetable or fruit juice by volume.

Section 12-4-3. Tax Imposed.

1. For the privilege of conducting retail sales in the territory of the Tribe, there is levied and there shall be

collected a tax at the rate set by the Tribal Council as provided in this Title, but initially at the rate of seven percent (7%), upon the gross receipts from all retail sales of goods on Tribal lands.

2. For purposes of this Chapter, a retail sale occurs on Tribal lands if the location at or from which delivery of the goods is made to the buyer is located on Tribal lands.

3. Every seller shall collect the tax imposed by this Chapter from the buyer. Until collected by the seller, such tax shall constitute a debt owed to the seller from the buyer and shall be recoverable as such. Whether collected or not, the tax shall constitute a debt of the seller owed to the Tribe and collectible by the Tribe as such.

4. For any retail sale consummated by trade, barter, or exchange of anything other than money, the amount of gross receipts from such retail sale for computing the tax imposed by this Chapter shall be the fair market value of the goods sold.

Section 12-4-4. Exemptions.

1. In computing the amount of tax imposed by this Chapter, a seller shall deduct from the amount of gross receipts and shall not collect sales tax on the following:

a. Sales made to the Tribe where the gross receipts from the sale of goods in the transaction is not more than the small purchase threshold set forth in the procurement policies or regulations of the Tribe;

ab. Sales made to the government of a state or another federally recognized Indian tribe when the state or tribe grants a reciprocal exemption to the Tribe and its agencies and departments;

bc. Sales made outside Tribal lands;

ed. Occasional sales;

de. Sales of food other than soft drinks and prepared foods;

ef. Sales of feminine hygiene products;

fg. Sales of items paid for by food stamps;

gh. Sales of residential heating fuels, natural or artificial gas, electricity, water, steam, telecommunications service, and any other utility;

hi. Sales of automobiles, trucks, truck-tractors, semi-trailers, trailers, boats, travel trailers, motorcycles and all-terrain cycles;

ij. The provision of complimentary goods to customers or employees;

jk. Sales of cigarettes and tobacco products subject to the tax imposed pursuant to Chapter 6 of this Title;

kl. Sales of liquor subject to the tax imposed pursuant to Chapter 7 of this Title;

lm. Sales of motor vehicle fuel;

mn. Sales of medical supplies, medicines, and pharmaceutical products;

no. Sales of newspapers and periodicals;

op. Sales of admissions to events and movies;

q. Sales of gambling devices regulated by the laws of the Tribe governing gaming and gambling within the territory of the Tribe;

pr. Wagers or other amounts paid as consideration for playing a game of chance; or

qs. Sales of products from vending machines.

2. In computing the amount of sales tax due under this Chapter, a seller shall deduct from the amount of tax due the amount of tax actually paid by the seller to a state or territory of another federally recognized Indian tribe when such state or tribe grants a reciprocal exclusion or an exemption to similar transactions in the territory of the Tribe.

3. A seller only making occasional sales shall be exempt from collection and payment of the tax imposed by this Chapter.

Section 12-4-5. Tax as Additional Tax. The tax imposed by this Chapter shall be in addition to all other taxes imposed by Tribe or another jurisdiction.

Section 12-4-6. Legal Incidence of Tax. Without limiting the liability of a buyer to remit the tax to the seller, the legal incidence of the tax imposed by the Chapter shall be on the seller.

Section 12-4-7. Tax Stated Separately.

1. Each seller shall state the tax imposed by this Chapter separately from the selling price on any receipt, invoice or other instrument of sale. If the seller does not state the tax separately on the instrument of sale, then the seller shall account for the tax separately in the seller's records of the transaction.

2. In computing the tax imposed by this Chapter, the amount of gross receipts from a retail sale shall be conclusively presumed to be the selling price quoted in any price list, sales document, contract or other agreement between the seller and buyer without tax unless the seller advertises the selling price as including the tax imposed by this Chapter.

Section 12-4-8. License.

1. Any person who engages in retail sales on Tribal lands shall be required to first obtain a retail sales tax license from the Commission. If a person makes retail sales at two or more separate places of business on Tribal lands, a separate retail sales tax license shall be required for each place of business.

2. A retail sales tax license shall be granted or renewed only upon application stating the name and address of the person desiring such a license, the name of such business and the location, including the street number of such business, and such other facts as the Commission may require.

3. A retail sales tax license issued by the Commission shall be in force and effect for one (1) year following the date it is issued, unless sooner revoked.

4. A retail sales tax license issued by the Commission shall permit the licensee to purchase goods for resale from a wholesaler or any other person free from the tax imposed by this Chapter on such goods, provided that if the licensee later

withdraws the goods, in whole or in part, from inventory for use or consumption by the licensee or any other person, the purchase price of such goods shall be included in the licensee's gross receipts for purposes of calculating the tax imposed by this Chapter.

5. A seller making only occasional sales shall not be required to obtain a retail sales tax license.

6. The Commission, after at least ten (10) days notice and a full hearing, may revoke the retail sales tax license of any person found by the Commission to have violated any provision of this Chapter or any other provision of this Title with respect to the tax imposed by this Chapter.

7. Any person liable for the tax imposed by this Chapter who fails to obtain a retail sales tax license under this Section or who continues to conduct business after such license has been revoked shall forfeit his or her right to make retail sales on Tribal lands until he or she complies with all of the provisions of this Title.

Section 12-4-9. Return.

1. Any seller subject to the tax imposed by this Chapter shall, on or before the twentieth (20th) day following the end of each calendar month, complete a return for the preceding month, on a form prescribed by the Commission, showing the entire amount of gross receipts for its business, the allowable deductions, and the amount of tax for which the seller is liable. The return shall be signed by the seller or its duly authorized agent and, if applicable, the person and/or firm preparing the return.

2. Any seller operating two (2) or more places of business shall file a consolidated return covering all such places of business.

3. No return need be filed by any seller who is exempt under this Chapter, provided that the Commission may require such seller to file the information necessary to establish his or her exempt status.

Section 12-4-10. Payment. A seller shall remit the amount of tax due under this Chapter with its return and such tax shall be due at the time the return is due.

CHAPTER 5
SERVICES TAX

Section 12-5-1. Purpose. The purpose of the tax imposed on sales pursuant to this Chapter is:

1. To regulate and monitor sales of services made to the Tribe and otherwise within the territory of the Tribe;

2. To support tribal government, tribal public improvement programs, and tribal infrastructure that benefit members of the Tribe and others within the territory of the Tribe;

3. To raise revenues to help fund health, safety, economic development, and general welfare programs and services provided to members of the Tribe and others within the territory of the Tribe.

Section 12-5-2. Definitions. Unless the context requires otherwise or another definition is provided for a particular section, in this Chapter:

1. "Buyer" means, without limiting the scope thereof, a person who purchases or receives services from a seller in exchange for money, goods, other services, or other consideration delivered to the seller.

2. "Complimentary" means the provision of services without charge to a person.

3. "Construction services" means the performance of services which constitute or are part of construction, repair, demolition, replacement, alteration, modification, or improvement of property, other than personal property which retains its identity as personal property upon completion of the construction services, and includes, but is not limited to:

a. Designing, constructing, building, erecting, repairing, grading, excavating, drilling, exploring, testing, or adding to any building, project, development, highway, street, road, railroad, sidewalk, bridge, culvert, excavation, sewer system, irrigation, system, water system, power plant, electrical system, air conditioning system, heating system, transmission line, pipeline, tower, water well, or other improvement or structure, or any part thereof; and

b. Pre-development services, architect services, engineer services, geologist services, land surveying services, landscape architect services, and other design services, regardless of whether such services are provided separately from as part of other construction services.

4. "Gross contract price" means the total price or other consideration valued in money, whether received in money or otherwise, paid to a seller under a contract, whether written or unwritten, for all work, items, and other obligations, including goods, materials, services, and labor, prior to deduction for any costs, expenses, or payments to subcontractors or other third parties and exclusive of any rebates.

5. "Gross receipts" means the total amount of the sales of a seller either on Tribal lands or outside Tribal lands, exclusive of any rebates.

6. "Occasional sale" means:

a. A sale of an individual's own personal services, provided such sales do not occur for more than seven (7) days during a calendar year and the individual does not conduct or engage in a trade or business of selling similar services; and

b. Sales of services solely from an individual's primary residence or on an online site with gross receipts of less than \$10,000 per year even if the individual is engaged in a trade or business of selling services.

7. "Seller" means the person making a sale to a buyer.

8. "Service" means all activities engaged in for other persons for a consideration, which activities involve predominantly the performance of a service as distinguished from selling or leasing goods or property, including construction activities, facilitating or providing financial transactions, and activities performed by a business entity for its owners, members, or shareholders, but excluding services rendered by an employee for his or her employer for the payment of wages.

Section 12-5-3. Tax Imposed.

1. For the privilege of conducting sales of services in the territory of the Tribe, there is levied and there shall be

collected a tax at the rate set by the Tribal Council as provided in this Title, but initially at the rate of seven percent (7%), upon the gross receipts from all sales of services on Tribal lands.

2. For purposes of this Chapter, a sale of services occurs on Tribal lands if:

- a. The seller is located on Tribal lands;
- b. The location where services are provided is on Tribal lands; or
- c. The buyer or other person to whom services are provided is located on Tribal lands.

3. Every seller shall collect the tax imposed by this Chapter from the buyer. Until collected by the seller, such tax shall constitute a debt owed to the seller from the buyer and shall be recoverable as such. Whether collected or not, the tax shall constitute a debt of the seller owed to the Tribe and collectible by the Tribe as such.

4. For any sale of services consummated by trade, barter, or exchange of anything other than money, the amount of gross receipts from such sale of services for computing the tax imposed by this Chapter shall be the fair market value of the services provided.

Section 12-5-4. Exemptions.

1. In computing the amount of tax imposed by this Chapter, a seller shall deduct from the amount of gross receipts and shall not collect service sales tax on the following:

- a. Sales of services made to the Tribe ~~or its economic enterprises~~ other than construction services where the gross contract price, including as modified by any change orders or modifications, is greater than ~~\$25,000.00~~ the small purchase threshold set forth in the procurement policies or regulations of the Tribe;
- b. Sales of services made to the government of a state or another federally recognized Indian tribe when the state or tribe grants a reciprocal exemption to the Tribe and its agencies and departments;

- c. Sales of services provided outside Tribal lands;
 - d. Occasional sales;
 - e. Sales of residential heating fuels, natural or artificial gas, electricity, water, steam, telecommunications service, and any other utility;
 - f. The provision of complimentary services to customers or employees;
 - g. Sales of any goods included in such gross receipts separately invoiced and for which the tax imposed pursuant to Chapter 4 of this Title has been charged and paid;
 - h. Sales of motor vehicle fuel included in such gross receipts separately invoiced and for which the tax imposed pursuant to Chapter 6 of this Title has been charged and paid;
 - i. Sales of cigarettes and tobacco products included in such gross receipts subject to the tax imposed pursuant to Chapter 7 of this Title;
 - j. The provision of liquor included in such gross receipts for which the tax imposed pursuant to Chapter 8 of this Title has been charged and paid;
 - k. The provision of lodging or other occupancy included in such gross receipts for which the tax imposed pursuant to Chapter 9 of this Title has been charged and paid;
 - l. Sales of medical, dental, and pharmaceutical services;
 - m. Sales of admissions to events and movies; or
 - n. Wagers or other amounts paid as consideration for playing a game of chance.
2. In computing the amount of service sales tax due under this Chapter, a seller shall deduct from the amount of tax due the amount of tax actually paid by the seller to a state or territory of another federally recognized Indian tribe when such

state or tribe grants a reciprocal deduction or exclusion or an exemption to similar transactions in the territory of the Tribe.

3. A seller only making occasional sales of services shall be exempt from collection and payment of the tax imposed by this Chapter.

4. The Tribe, other than its economic enterprises, shall be exempt from the collection and payment of the tax imposed by this Chapter.

Section 12-5-5. Tax as Additional Tax. The tax imposed by this Chapter shall be in addition to all other taxes imposed by Tribe or another jurisdiction.

Section 12-5-6. Legal Incidence of Tax. Without limiting the liability of a buyer to remit the tax to the seller or the liability of a seller to remit the tax to the Tribe, the legal incidence of the tax imposed by the Chapter shall be on the seller.

Section 12-5-7. Tax Stated Separately.

1. Each seller may state the tax imposed by this Chapter separately from the selling price on any receipt, invoice, or other instrument of sale. If the seller does not state the tax separately on the instrument of sale, then the seller shall account for the tax separately in the seller's records of the transaction.

2. In computing the tax imposed by this Chapter, the amount of gross receipts from a sale of services shall be conclusively presumed to be the price quoted in any price list, sales document, contract, or other agreement between the seller and buyer without tax unless the seller advertises the selling price as including the tax imposed by this Chapter.

Section 12-5-8. License.

1. Any person who engages in sales of services and is located on Tribal lands shall be required to first obtain a services sales tax license from the Commission. If a person makes sales of services at two or more separate places of business on Tribal lands, a separate service sales tax license shall be required for each place of business. Upon application of such person, the Commission may also issue a service sales tax license to any person who is not located on Tribal lands,

but engages in sales of services to the Tribe or on Tribal lands.

2. A service sales tax license shall be granted or renewed only upon application stating the name and address of the person desiring such a license, the name of such business and the location, including the street number of such business, and such other facts as the Commission may require.

3. A service sales tax license issued by the Commission shall be in force and effect for one (1) year following the date it is issued, unless sooner revoked.

4. A service sales tax license issued by the Commission shall permit the licensee to purchase services from subcontractors free from the tax imposed by this Chapter on such services, provided that the gross cost or other price paid for such subcontractor shall be included in the licensee's gross receipts for purposes of calculating the tax imposed by this Chapter.

5. A seller making only occasional sales shall not be required to obtain a service sales tax license.

6. The Commission, after at least ten (10) days notice and a full hearing, may revoke the service sales tax license of any person found by the Commission to have violated any provision of this Chapter or any other provision of this Title with respect to the tax imposed by this Chapter.

7. Any person who engages in sales of services and is located on Tribal lands who is liable for the tax imposed by this Chapter and fails to obtain a service sales tax license under this Section or who continues to conduct business after such license has been revoked shall forfeit his or her right to make service sales to the Tribe and on Tribal lands until he or she complies with all of the provisions of this Title.

Section 12-5-9. Return.

1. Any seller subject to the tax imposed by this Chapter shall, on or before the twentieth (20th) day following the end of each calendar month, complete a return for the preceding month, on a form prescribed by the Commission, showing the entire amount of gross receipts for its business, the allowable deductions, and the amount of tax for which the seller is liable. The return shall be signed by the seller or its duly

authorized agent and, if applicable, the person and/or firm preparing the return.

2. Any seller operating two (2) or more places of business shall file a consolidated return covering all such places of business.

3. No return need be filed by any seller who is exempt under this Chapter, provided that the Commission may require such seller to file the information necessary to establish his or her exempt status.

Section 12-5-10. Payment. A seller shall remit the amount of tax due under this Chapter with its return and such tax shall be due at the time the return is due.

AGENDA ITEM REQUEST

DATE SUBMITTED: 2/19/2020

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: 3/2/2020

Subject: FY21 IDC Proposals

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

Motion to Approve Two Rate Proposal

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 _____
 Chief Financial Officer

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: _

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: 3/2/2020

Subject: MCH Continuation Proposal - Resolution

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

Resolution to support FY2020 Title V Maternal & Child Health Services (MCH) Block Grant (CFDA #93.994) Subaward Proposal, period 4/1/2020 – 3/31/2021, in the amount of \$55,028, passed through Nebraska Department of Health and Human Services.

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

Submitted by: Lawrence Voegele

Approval: Matthew Matusiak
Digitally signed by Matthew Matusiak
Date: 2020.02.19 12:45:41 -06'00'

**PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL**

RESOLUTION 20-_____

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 power contained in the constitution; and

WHEREAS: The Nebraska Department of Health and Human Services has made available Tribal subaward passthrough funding, in the amount of \$55,028, under the Title V Maternal and Child Health (MCH) program (CFDA #93.994) for the period 4/1/2020 to 3/31/2021; and

WHEREAS: American Indian pregnant women and children in Nebraska have historically been medically underserved; and

WHEREAS: The proposed continuation project would enable Ponca Health Services to improve prenatal and child/adolescent care through delivery of patient-centered supportive services addressing social determinants of health;

THEREFORE, BE IT RESOLVED that the Tribal Council supports the proposal for continuation of MCH funding for fiscal year 2020-2021.

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 on the ____ day of March, 2020 at a duly called meeting held in via Lifesize 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 Schmidt, Secretary
Ponca Tribe of Nebraska