I. CALL TO ORDER
   a. Roll Call

II. APPROVAL OF AGENDA

III. CONSENT CALENDAR
   a. May 18, 2021 Minutes
   b. Use of Culture Building for Funeral Gathering
   c. NDOT 5311 Funding Application - RESOLUTION
   d. Federal Transit Administration Funding Application– RESOLUTION
   e. Letter of Incumbency
   f. Purchase Benches for Educational Trail
   g. Holland & Knight Legal Billing Statement
   h. Ratifications

IV. CHAIRMAN’S REPORT

V. ROBIN BAIR, TRIBAL MEMBER

VI. CHUCK FREYERMUTH, CEO – OSNI PONCA
   a. Release of USDA RBDG Funding to Complete Feasibility Study: Grocery Store & Osni Ponca Construction & Development
      i. Approval of Odee Ingersoll – MOTION
      ii. Release of Funds - MOTION

VII. FALON MCALPIN, EDTA
    a. ARP BIA Funding - RESOLUTION
    b. Powwow Booklet 30th Anniversary Feature – DISCUSSION/MOTION
    c. April 2021 Monthly Report

VIII. RETREAT DISCUSSION (CHAIRMAN WRIGHT)

IX. REVIEW ACTION ITEMS ON SMARTSHEET WITH EXECUTIVE TEAM

X. NEW BUSINESS
   a. ARP Funding Requests – MOTION (Vice Chair Sullivan)
   b. Tribal Council Residence Requirements - DISCUSSION (Vice Chair Sullivan)

XI. OTHER BUSINESS

XII. EXECUTIVE SESSION
    a. Culture Director Screening Matrix (Falon McAlpin)
    b. Culture Director Job Description Revised – DISCUSSION/MOTION (Falon McAlpin)
    c. Project Letter of Intent – DISCUSSION/MOTION (Jake Olsufka, CFO/Atty Meggesto)
    d. F/up Discussion Re: Confidential Matter from 5/11/21 TC Mtg.
    e. Employee Annual Evaluation

XIII. ADJOURN
AGENDA ITEM REQUEST
(for employees only)

DATESubmitted: 5/14/21

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: 6/11/21

Subject: Resolution

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

Motion to approve the NDOT Transportation
Resolution.

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

Submitted By: [Signature]

APPROVED
    Executive Management
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: Article V, Section l(a) of the Constitution provides that the Ponca Tribal Council has the power to negotiate and contract with federal, state, and local governments on behalf of the Tribe; and

WHEREAS: The Nebraska Department of Transportation has received grant funds from the U.S. Department of Transportation through the Federal Transit Administration to support capital/operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act and such funds are available for Public Transportation Operating Assistance; and

WHEREAS: The Ponca Tribe of Nebraska desires to apply for funds from the Section 5311 grant to provide public transportation in the territory of the Tribe; and

WHEREAS: The contract for financial assistance will impose certain obligations upon the Ponca Tribe of Nebraska, as an applicant, including the provision by it of the local share of project costs and an indirect costs agreement and the Ponca Tribe of Nebraska will commit to the necessary financial resources for the local share of costs and to the indirect costs agreement.

THEREFORE BE IT RESOLVED that the Ponca Tribal Council hereby approves submission of an application and request for the above-mentioned Section 5311 funding from and through the Nebraska Department of Transportation for the period of July, 1, 2021 through June 30, 2022.

BE IT FURTHER RESOLVED that the Ponca Tribal Council hereby authorizes the Ponca Department of Transportation to execute and submit the application and other documents necessary for said Section 5311 funding.
BE IT FURTHER RESOLVED that the Ponca Tribal Council hereby authorizes the Chairman or his designee to sign and execute any other applications, proposals, assurances, and other documents necessary to carry out this Resolution, provided that any final agreement required to be entered into by the Ponca Tribe of Nebraska for such funding shall be subject to the approval of the Ponca Tribal Council.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing Resolution was duly authorized and passed by the Ponca Tribe of Nebraska Tribal Council on the _____ day of June, 2021 at a duly called meeting held via Lifesize by a vote of _____ Ayes; _____ Nays; _____ Abstained; _____ Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

ATTEST

_____________________________    ____________________________
Larry Wright, Jr., Chairman     Kyle Taylor, Secretary
Ponca Tribe of Nebraska     Ponca Tribe of Nebraska
AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/20/21

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: 1/1/21

Subject: __________________________________________

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

Motion to approve the FTA Transportation Resolution.

Motion to approve the FTA Letter of Incompatibility.

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

Submitted By: __________________________

APPROVED: Falon McAlpine
Executive Management
PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 21-_____

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 Federal Transit Administrator has been delegated authority to award federal financial assistance for a transportation project; and

WHEREAS: The grant or cooperative agreement for federal financial assistance will impose certain obligations upon the Tribe, and may require the Tribe to provide the local share of the project cost; and

WHEREAS: The Tribe has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

THEREFORE, BE IT RESOLVED that Jacob Olsufka, Chief Financial Officer, and/or Elise Emanuel, Director of Grant Management is authorized to execute and file an application for federal assistance on behalf of the Ponca Tribe of Nebraska with the Federal Transit Administration for federal assistance authorized by 49 U.S.C Chapter 53, title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration.

BE IT FURTHER RESOLVED that Elise Emanuel, Director of Grant Management and/or Erika Long, Grant Compliance Coordinator, and/or Dannette Wright, Transit Director, is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a federal assistance grant or cooperative agreement.

BE IT FURTHER RESOLVED that Elise Emanuel and/or Dannette Wright is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the Ponca Tribe of Nebraska.

BE IT FINALLY RESOLVED that Brad Jolly, Tribal Attorney, is authorized to submit legal certification 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 _____, 2021, at a duly called meeting held via Lifesize by a vote of _____ Ayes; _____ Nays; _____ Abstained; _____ Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

ATTEST

_____________________________   ____________________________
Larry Wright, Jr., Chairman    Kyle Taylor, Secretary
Ponca Tribe of Nebraska        Ponca Tribe of Nebraska
AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/18/2021

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

Meeting Date: 6/1/2021

Subject:

- Approval to purchase benches for educational trail

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

- Motion to approve the purchases of benches for the educational trail for a total of $8218.55

Will there be support materials for this agenda item?  Yes
(If there are support materials, one copy must be attached)

Submitted By: Nick Mauro

APPROVED

Executive Director of Tribal Affairs
DATE SUBMITTED: 5/25/2021

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

Meeting of: XXX Tribal Council

_______ Executive Committee

Meeting Date: 6/1/2021

Subject: **Release of USDA RBDG Funding to Complete Feasibility Study: Grocery Store & Osni Ponca Construction & Development.**

ACTION REQUEST: (Please describe request in the form of a motion)
Requesting: 1) Approval of Odee Ingersoll 2) The release of $40,000 of aforementioned funding to complete both feasibility studies

Will there be support materials for this agenda item? **Yes**  No

Submitted By: **Chuck Freyermuth, CEO, Osni Ponca**

APPROVED ____________________________
AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 05/27/2021

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: 06/01/2021

Subject: ARP BIA Funding Resolution

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

Will there be support materials for this agenda item? __X__ Yes ___No
(If there are support materials, one copy must be attached)

• ARP BIA Funding Resolution (Motion)

Submitted By: Falon McAlpin

APPROVED _______________________
Executive Director of Tribal Affairs
AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/25/2021

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: 6/1/2021

Subject:
• Powwow Booklet 30th Anniversary Feature Discussion

ACTION REQUEST: (Please describe request in the form of a motion)
• Motion to approve the discussed features to be included in the Powwow booklet.

Will there be support materials for this agenda item?  Yes
(If there are support materials, one copy must be attached)

Submitted By: Nick Mauro and Shannon Wright

APPROVED  Falon McAlpin
Executive Director of Tribal Affairs

Digitally signed by Falon McAlpin
Date: 2021.05.25 16:52:30 -05'00'