

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

DECEMBER 15, 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. November 17, 2018
- IV. RATIFICATION OF ACTIONS
- V. CHAIRMAN'S REPORT
- VI. RUTHANNE GALLUP, TRIBAL COURT ADMINISTRATOR
 - a. Clarification of Title IV Law & Order Code
 - i. Section 4-6-6 – Request approval to Adopt Nebraska Guidelines – MOTION
 - ii. Section 4-2-9 - Who is Recognized by Ponca Tribe to Solemnize Marriages
- VII. JONATHAN ROBINSON, HUMAN RESOURCE DIRECTOR
 - a. Plan Document Services Agreement with Gallagher Benefit Services, Inc. – MOTION
 - b. Part-Time Vocational Training Specialist Job Description – MOTION
 - c. Metro Transit Scheduler Job Description - MOTION
- VIII. ELISE EMANUEL, DIRECTOR OF GRANTS MANAGEMENT
 - a. WIOA Service Area Update/Requesting Input on how to Proceed
 - b. Herrick Foundation Grant Application – RESOLUTION
- IX. JOEY NATHAN, EXECUTIVE DIRECTOR – NORTHERN PONCA HOUSING AUTHORITY
 - a. Approval to utilize IHBG funds as leverage for the 2018 ICDBG Amended – MOTION
- X. STEPHANIE SLOBOTSKI, TRANSPORTATION PLANNER
 - a. Review Storm Shelter Plans and Specifications with Contractor – MOTION
 - b. Superintendent Pickup Truck Purchase – MOTION
 - c. ADA Policy for FTA Funding – MOTION
 - d. Overview of Planning Process
 - e. Avenue H, Carter Lake – DISCUSSION
- XI. NEW BUSINESS
 - a. Brad Jolly Legal Billing Statement – MOTION
 - b. Committee Appointments - MOTION
 - c. Election Board Request – MOTION
 - d. David Mentzer Request - MOTION
 - e. Intertribal Agriculture Council Membership Dues – MOTION
 - f. Hope Lodge Request for Funding – MOTION
 - g. Indian Youth of America Request – MOTION
 - h. Executive Committee & Expansion of Duties (Councilman LaPointe)
- XII. MATT KENNEDY, CHAIRMAN – PONCA GAMING ENTERPRISE
 - a. Casino Financial Report (Louis Rosa, Finance Director)
 - b. Casino Monthly Report
 - c. Marketing Plan Presentation
 - d. Randy Carter Agreement – MOTION
- XIII. OTHER BUSINESS
- XIV. EXECUTIVE SESSION
 - a. Casino Funding (2:30 PM)
- XV. ADJOURN

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 10/26/2018

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: X Tribal Council
 _____ Executive Committee

Meeting Date: 12/03/2018

Subject: Clarification of Title IV Code that was recently passed

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

1. Section 4-6-6 of Code states that subject to approval of Tribal Council, the Law and Justice Committee shall either establish support guidelines or designate guidelines of a state. Law & Justice committee recommends using Nebraska Guidelines. We are asking for approval of Tribal Council to adopt Nebraska Guidelines.
2. Section 4-2-9 of Code states that a marriage may be solemnized by a judge, a public official, or with a mode of solemnization recognized by religious denomination, Indian nation or tribe, or native group. Tribal Court would like to know what mode/who is recognized by Ponca Tribe to solemnize marriages

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 
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 12/7/2018

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: 11/15-16/2018

Subject: Agreements

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

- Motion to approve the Plan Document Services Agreement with Gallagher Benefit Services, Inc..

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: 12/7/2018

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 11/15-16/2018

Subject: Job Descriptions

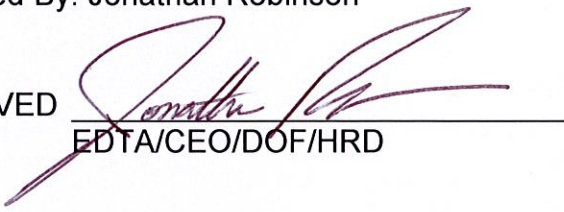
ACTION REQUEST: (Please describe request in the form of a motion)

- Motion to approve the Part-Time Vocational Training Specialist job description - New.
- Motion to approve the Metro Transit Scheduler job description – New.

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: 12/7/2018

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 12/15/2018

Subject: WIOA Service Area

ACTION REQUEST: (Please describe request in the form of a motion)
Update on Department of Labor's progress in negotiating agreement to award Woodbury & Pottawattamie Counties to the Tribe, including advice from Brad Jolly. Requesting input on how to proceed.

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

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 11/26/18

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: 12/15/18

Subject: Resolution in support of Herrick Foundation

ACTION REQUEST: (Please describe request in the form of a motion)
Requesting a Resolution in support of Tribe's application to apply for Herrick Foundation grant.

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
Dir. Of Grant Mgmt

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

THEREFORE, BE IT RESOLVED that the Director of Grant Management, Elise Emanuel, is approved to submit the application for funding administered by the Herrick Foundation 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 15th day of December, 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 Schmidt, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: _12_/_07_/_2018__

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: Tribal Council
 Executive Committee

Meeting Date: _12_/_15_/_2018__

Subject: ___Northern Ponca Housing Authority ___

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

1) Approval to utilize IHBG funds as leverage for the 2018 ICDBG Amended

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

Submitted By: ___Joey Nathan_____

APPROVED _____
 Executive Director of Tribal Affairs



NORTHERN PONCA HOUSING AUTHORITY



Resolution 2018-11

APPROVAL TO UTILIZE IHBG FUNDS AS LEVERAGE FOR 2018 INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) PROJECT

WHEREAS, the Tribal Council of the Ponca Tribe of Nebraska has designated the Northern Ponca Housing Authority (NPHA) as its Tribally Designated Housing Entity by Tribal Council Resolution No. 97-67; and

WHEREAS, tribes and tribal organizations are eligible recipients of funding made available to improve the nation's housing for Native American people from the U.S. Department of Housing and Urban Development (HUD) through its Indian Community Development Block Grant (ICDBG) Program; and

WHEREAS, the NPHA has been authorized by the Tribal Council of the Ponca Tribe of Nebraska and the Bureau of Indian Affairs to apply for an ICDBG as a Tribal Organization and Tribally Designated Housing Entity; and

WHEREAS, the NPHA has been designated the Northern Ponca Housing Resident Association as the Community Based Development Organization (CBDO) to undertake the New Housing Construction activities; and

WHEREAS, the NPHA Board of Commissioners has identified the need for new construction activities and has selected the ICDBG as the best program for moving forward with future development planning activities for an elder/disabled complex in the Omaha service area; and

WHEREAS, the Board of Commissioners of NPHA, as appointed by the Tribal Council of the Ponca Tribe of Nebraska, is submitting a 2018 ICDBG proposal requesting \$800,000 for new housing construction activities; and

WHEREAS, the NPHA Board of Commissioners has identified \$185,000 in future Indian Housing Block Grant (IHBG) funds to be utilized as leverage and donated land purchased in December 2018 appraised at \$90,000 as additional leverage in its 2018 ICDBG new housing construction activities project and

WHEREAS, the NPHA Board of Commissioners certifies that the NPHA will continue to be responsible for the ongoing maintenance of the future new housing construction units according to its operations and maintenance policy, and will secure assurances from tenants that they will complete light maintenance and upkeep as specified in individual Lease Agreements; and assures that all new construction activities will be constructed within three years; and

WHEREAS, the NPHA Board of Commissioners certifies that the NPHA has adopted Housing Standards as specified in Section I.A.4 of the 2018 ICDBG NOFA; and

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Northern Ponca Housing Authority has reviewed and understands the requirements of the ICDBG program and authorizes the NPHA Executive Director to prepare and submit an ICDBG application for FY 2018; and


BE IT FURTHER RESOLVED that the Northern Ponca Housing Authority Board of Commissioners is authorizing the use of a total of \$185,000 in Indian Housing Block Grant (IHBG) funds, spread over three years (\$61,667 each year from FY 2019 through FY 2021), to be utilized as leverage, as well as the value of the appraised donated land, for the ICDBG project to begin and complete new housing construction activities for low and moderate income elders and disabled Native Americans.


APPROVAL TO SUBMIT AN APPLICATION FOR 2018 INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CERTIFICATION

The foregoing Resolution No. 2018-11 approving the utilization of FY 2019, FY 2020 and FY 2021 IHBG funds and appraised donated land as leverage for the 2018 ICDBG proposal, was adopted by the Northern Ponca Housing Authority Board of Commissioners at a duly called meeting on the 9th day of December, 2018, at which a quorum, as present, by a vote of 3 in favor, 0 opposed, 2 absent, and 0 abstaining.

ATTEST


 Pam Noyes, Chairwoman
 Northern Ponca Housing Authority
 Board of Commissioners


 JoAnn Ehlers, Secretary
 Northern Ponca Housing Authority
 Board of Commissioners

12-8-2018
 Date

12-8-2018
 Date

CONCUR

 Larry Wright Jr., Chairman
 Ponca Tribe of Nebraska

 Candace Schmidt, Secretary
 Ponca Tribe of Nebraska

 Date

 Date

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: __12/6/18__

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: 12/15/18

Subject: Transportation Planning

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

1. Review and motion of Storm Shelter plans and specifications (Contractor is bringing the 3D model, pricing documents and option checklist to meeting-floorplan is included in packet).
2. Review and Motion to approve Superintendent pick-up truck purchase
3. Motion to approve ADA policy for FTA funding
4. Overview of Planning Process
5. Avenue H, Carter Lake discussion

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 _____
Executive Director of Tribal Affairs