

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

SEPTEMBER 30, 2019
5:00 PM
LIFESIZE

- I. CALL TO ORDER
 - a. Invocation
 - b. Roll Call
- II. APPROVAL OF AGENDA
- III. CONSENT CALENDAR
 - a. September 23, 2019 Minutes
 - b. Ratifications
- IV. CHAIRMAN'S REPORT
- V. PEG ELOFSON, HUMAN RESOURCE DIRECTOR
 - a. Albuquerque Travel Request – MOTION
- VI. FALON MCALPIN, EXECUTIVE DIRECTOR OF TRIBAL AFFAIRS
 - a. 2020 BIA Budget and Scope of Works – MOTION
 - b. 2019 BIA Year End Request – RESOLUTION
 - c. 2020 638 BIA Re-Contracting – RESOLUTION
- VII. JACOB OLSUFKA, CHIEF FINANCIAL OFFICER
 - a. Schedule of Expenditures Report as of 8/31/19
 - b. Indirect Cost Report as of 8/31/19
 - c. General Fund Report as of 8/31/19
 - d. Committee Reports as of 8/31/19
 - e. Tribal Council Report as of 9/20/19
 - f. Miscellaneous Report for August 2019
 - g. Restoration Pow Wow Funding Request – MOTION (Chairman Wright)
- VIII. OTHER BUSINESS
- IX. ADJOURN

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 9/20/19

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: 9/30/19

Subject: Albuquerque travel request

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

Motion to approve introductory period travel for HR Director.

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

Submitted By: Peg Elofson, HRD

APPROVED Peg Elofson 9/20/19
EDTA/CEO/DOF/HRD

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 09/23/2019

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: 09/30/2019

Subject: 2020 BIA Budget and Scope of Works

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

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

- Motion to approve the 2020 BIA Budgets and Program Scope of Works

Submitted By: Falon McAlpin

APPROVED _____
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 09/23/2019

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: 09/30/2019

Subject: 2019 BIA Year End Request/Resolution

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

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

- Motion to approve a Resolution to utilize 2019 BIA year end funds to purchase a side by side to attend to the Buffalo and 1,800 acres of land in Niobrara

Submitted By: Falon McAlpin

APPROVED _____
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 19-_____

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 Tribe has purchased 1,800 acres of its original land in Niobrara, and seeking to purchase a 2020 Full Size Ranger as a multifunctional side by side to tend to the Niobrara land where Buffalo reside; and

WHEREAS: The Tribe has the authority to submit a request to utilize 2019 BIA End of Year dollars to utilize for activities under this request; and

THEREFORE, BE IT RESOLVED that the Ponca Tribe is hereby requesting \$11,321.00 in BIA End of Year Funding to purchase the 2020 Full Size Ranger.

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 [MONTH] [YEAR], at a duly called meeting held at [CITY], [STATE] 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: 09/23/2019

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: 09/30/2019

Subject: 2020 638: BIA Re-Contracting/Resolution

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

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

- Motion to approve a Resolution to add Director of Buffalo, Natural Resources Land Tech, and Workforce Development positions/ Scope of Work and budgets to the 638 BIA Contract.

Submitted By: Falon McAlpin

APPROVED _____
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 19-_____

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 1(a) of the Constitution provides that the Ponca Tribal Council has the power to negotiate with the federal government on behalf of the Tribe; and

WHEREAS: Pursuant to the Indian Self-Determination and Education Assistance Act (“ISDEAA”), 25 U.S.C. §§ 5301 *et seq.*, the Ponca Tribe of Nebraska has entered into a self-determination contract with the Bureau of Indian Affairs (“BIA”), Department of Interior, to administer programs or portions thereof provided by the Secretary of Interior; and

WHEREAS: The ISDEAA, 25 U.S.C. § 5324(f), provides that, upon providing notice to the Secretary of Interior, a Indian tribe that carries out a nonconstruction self-determination contract may propose a redesign of a program, activity, function, or service carried out under the contract in such manner as to best meet the local geographic, demographic, economic, cultural, health, and institutional needs of the Indian people and tribe served under the contract; and

WHEREAS: The ISDEAA was passed by Congress to assure maximum participation in the direction, planning, conduct and administration of federal programs and services to Indian communities so as to render such programs and services more responsive to the needs and desires of those communities; and

WHEREAS: The Ponca Tribal Council finds that redesigning its current self-determination contract with the BIA is necessary to best meet the geographic, demographic, economic, cultural, and institutional needs of the Tribe and its members; and

WHEREAS: The Ponca Tribal Council desires to redesign its current self-determination contract with the BIA to include the Tribe’s Buffalo Program as part of Natural Resources programs, a Land Manager as part of Realty programs, and Workforce Development as part of Community Development programs, including utilizing existing carryover funds, as necessary, to pay for such additions to the programs; and

WHEREAS: The Ponca Tribal Council has before it a proposed Scope of Work, Budget, and other documents required for the redesign of the Tribe’s current self-determination contract with the BIA.

THEREFORE, BE IT RESOLVED that the Ponca Tribal Council hereby approves the proposed Scope of Work, Budget, and other documents to redesign the Tribe's current self-determination contract with the BIA.

BE IT FURTHER RESOLVED that the Ponca Tribal Council hereby requests that the Secretary of Interior, acting through its authorized representative, approve the Tribe's redesign of its existing self-determination contract with the BIA pursuant to 25 U.S.C. § 5324(f) as set forth in the Scope of Work, Budget, and other documents approved herein, including, but not limited to, adding the following programs to the existing self-determination contract and utilizing carryover funds, as necessary, to pay for such additional programs, activities, functions, and services in such redesign:

1. The Buffalo Program as part of Natural Resources programs and line item
2. Land Manager as part of Realty programs and line item
3. Workforce Development as part of Community Development programs and line item

BE IT FURTHER RESOLVED that the Ponca Tribal Council hereby authorizes the Chairman or his designee to formally notify the Secretary of Interior of the proposed redesign approved herein and forward such necessary documents to obtain approval of the Secretary of Interior for such redesign.

BE IT FURTHER RESOLVED that the Ponca Tribal Council hereby authorizes the Chairman and Secretary to sign and execute all contracts, documents, proposals, assurances, and other documents necessary to carry out this Resolution, provided that any final redesigned self-determination contract shall first being 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 Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting in _____, Nebraska on the ____ day of _____, 2019 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