

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

APRIL 25, 2023

4:00 PM

LOCAL OFFICE SITES/LIFESIZE

- I. CALL TO ORDER
 - a. Invocation
 - b. Roll Call
- II. APPROVAL OF AGENDA
- III. CONSENT CALENDAR
 - a. April 18, 2023 Minutes
 - b. April 23, 2023 Minutes
 - c. LB 1173 Workgroup Representative – RESOLUTION
 - d. Benco RFP for Dental Clinic Air Compressor
 - e. National Park Service Tribal Historic Preservation Office Grant Renewal – RESOLUTION
 - f. OVW Grants to Tribal Governments Renewal– RESOLUTION
 - g. Ratifications
- IV. ANDREW EBERT, EXECUTIVE DIRECTOR – PEDCO
 - a. Quarterly Report January through March 2023
- V. JANELLE ALI-DINAR, CEO – PONCA HEALTH SERVICES
 - a. Brown School Affiliation Agreement
 - b. Zach Garvis, Data Coordination Contract
- VI. PATRICK JENNINGS, CEO – TRIBAL AFFAIRS
 - a. Ralston HVAC Replacement - Modification to Commitment of ARP funding/Helm RFP
 - b. Department of Energy Clean Energy Technology Deployment on Tribal Lands Grant – RESOLUTION
 - c. RFP for Paul Davis Restoration to complete the Remediation & Restoration at the Sioux City Office
 - d. Hybrid Schedule for Sioux City Team Members to continue to Work Remotely
- VII. OTHER BUSINESS
- VIII. ADJOURN

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 04 / 06 / 2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04 / 18 / 2023

Regular Session XX Executive Session _____

Subject: LB1173 Workgroup Representative

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

Resolution and Motion to approve Stephanie Pospisil, Social Services Director, as the Ponca Tribe representative on the LB1173 Statutory Workgroup within the Nebraska Department of Health and Human Services.

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 *Courtney R. Chace*
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Stephanie Pospisil

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 23-_____

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: It is the desire of the Tribe to approve Stephanie Pospisil, Social Services Director, of the Ponca Tribe of Nebraska to serve on the LB 1173 Statutory Workgroup as the representative to in order to recognize the value of the Ponca Tribe participating in the workgroup.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council does hereby approves, supports, and endorses Stephanie Pospisil as the Ponca Tribe of Nebraska representative on the LB 1173 Statutory Workgroup.

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 18th day of April 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of _____Ayes; _____Nays; _____Abstained; _____Absent. Chairperson _____voting _____not voting. A Quorum of _____ was present.

ATTEST

Candace Schmidt, Chairwoman
Ponca Tribe of Nebraska

Susan Baker, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: **4/18/2023**

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: **4/25/2023**

Regular Session Executive Session _____

Subject: **Dental Clinic Air Compressor**

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

Request to purchase a new air compressor from BENCO in the amount of \$6,186.31. BENCO provides us with government pricing and even set up a loaner compressor at the dental clinic so that we could remain open and seeing patients.

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

Submitted By: *Landy Chat for Karen Bobee*

APPROVED *Janelle Ali Davis*
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item?

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 4/18/2023

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: 4/25/2023


Subject: NPS THPO grant application

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

Motion to approve applying for the National Park Service Tribal Historic Preservation Office grant for funding for FY2023-24.

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

Submitted By: 
Stephanie Geery-Zink, Grants Director

APPROVED 
Executive Management

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 23-_____

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 National Park Service (NPS) preserves unimpaired the national and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The NPS cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and world; and

WHEREAS: The purpose of the NPS Tribal Historic Preservation Offices (THPO) program is to provide grants to THPOs for identification, evaluations, and protection of historic properties by such means as: survey, planning, technical assistance, development, education, expansion of the National Register of Historic Places, and to assist THPOs in carrying out historic preservation activities that the Tribe agreed to assume from the State Historic Preservation Office, on tribal lands, under a partnership agreement with NPS.

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to execute and file an application for federal assistance on behalf of the Ponca Tribe of Nebraska with the National Park Service (NPS).

BE IT FURTHER RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to execute and file with its applications the annual certifications and assurances and other documents the NPS requires before awarding a federal assistance grant or cooperative agreement.

BE IT FINALLY RESOLVED that Stephanie Geery-Zink is authorized to execute grant and cooperation agreements with the NPS 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 25th day of April 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of _____Ayes; _____Nays; _____Abstained; _____Absent. Chairperson _____voting _____not voting. A Quorum of _____ was present.

ATTEST

Candace Schmidt, Chairwoman
Ponca Tribe of Nebraska

Susan Baker, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 4/19/2023

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: 4/25/2023


Subject: OVW Tribal Governments Program

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

Motion to approve applying for the Department of Justice OVW Tribal Governments Program for Domestic Violence/Social Services for FY2023-24.

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

Submitted By: 
Stephanie Geery-Zink, Grants Director

APPROVED 
Executive Management

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 23-_____

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 U.S. Department of Justice Office of Violence Against Women administers grant programs, subsequent legislation and provides national leadership on issues of domestic violence, dating violence, sexual assault, and stalking. OVW grants support coordinated community responses to hold offenders accountable and serve victims; and

WHEREAS: The purpose of the OVW's Grants to Indian Tribal Governments Program funds Indian Tribal Governments to respond to domestic violence, dating violence, sexual assault, sexual assault, sex trafficking, and stalking in their communities.

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to execute and file an application for federal assistance on behalf of the Ponca Tribe of Nebraska with the U.S. Department of Justice.

BE IT FURTHER RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to execute and file with its applications the annual certifications and assurances and other documents the DOJ requires before awarding a federal assistance grant or cooperative agreement.

BE IT FINALLY RESOLVED that Stephanie Geery-Zink is authorized to execute grant and cooperation agreements with the DOJ 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 25th day of April 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of ____Ayes; ____Nays; ____Abstained; ____Absent. Chairperson ____voting ____not voting. A Quorum of ____ was present.

ATTEST

Candace Schmidt, Chairwoman
Ponca Tribe of Nebraska

Susan Baker, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 04/12/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04/25/2023

Regular Session Executive Session

Subject: Brown School Affiliation Agreement

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

Requesting motion to approve the Affiliation Agreement for Brown School through Washington University to allow practicum students to achieve internships at Ponca Tribe of Nebraska. The attached Affiliation Agreement has been reviewed by Brad Jolly.

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

Submitted By: LuAnne M. Even, Psy.D.

APPROVED


Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Dr. Even

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 04/12/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04/25/2023

Regular Session Executive Session

Subject: Zach Garvis, Data Coordination Contract Signature

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

Requesting motion to approve the Professional Services Agreement and BAA for Zach Garvis to assist with data coordination and evaluation to meet grant requirements. The contract attached has been reviewed by Brad Jolly

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

Submitted By: LuAnne M. Even, Psy.D.

APPROVED


Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Dr. Even

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 04/17/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04/25/2023

Regular Session XX____ Executive Session _____

Subject: Resolution modifying commitment of ARP funding

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

Resolved to eliminate the remaining commitment of ARP funds to “iPonca 22 Member Distribution” as that effort is now complete and to allocate \$125,000 of the now-uncommitted ARP funds to “HVAC Upgrade Ralston Office”. This new ARP commitment will allow a critical upgrade to HVAC, and a resulting positive impact to building air quality, fall under Category 1: Response to COVID

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

Submitted By: ____Greg Gunderson _____

APPROVED _____ Courtney Chavez _____
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Courtney Chavez

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: _04/12/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: _04/25/2023

Regular Session _x_ Executive Session _____

Subject: HVAC Replacement Ralston _____

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

Motion to approve HVAC project proposal from Helm to replace four (4) roof top units (RTU) on the Ralston administrative building that were damaged as a result of hail damage in June of 2022.

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

Submitted By: Penny Lingle _____

APPROVED Penny Lingle
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Penny Lingle, Greg Gunderson, _____

Revised 1/24/23

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 4/17/2023

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: 4/25/2023

Subject: U.S. Department of Energy Clean Energy Technology Deployment on Tribal Lands grant

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

Motion to approve applying for the U.S. Department of Energy Clean Energy Technology Deployment on Tribal Lands grant.

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

Submitted By: 
 Stephanie Geery-Zink, Grants Director

APPROVED  4/17/23
 E: Management

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 23-_____

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 U.S. Department of Energy ensures the future protection of human health and the environment. The Office of Indian Energy's purpose is to maximize the development and deployment of energy solutions for the benefit of American Indians and Alaska Natives; and

WHEREAS: The U.S. Department of Energy Office of Indian Energy is offering the Clean Energy Technology Deployment on Tribal Lands grant to fund installation of clean energy generating systems and energy efficiency measures for tribal buildings or to deploy community-scale clean energy generating systems or energy storage on tribal lands or install integrated energy systems for autonomous operation to power a single or multiple essential tribal buildings during emergency situations or for tribal community resilience or provide electric power to unelectrified tribal buildings.

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to apply for, execute and file with its applications the annual certifications and assurances and other documents the U.S. Department of Energy requires when awarding grant funding.

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink, Grants Director, is authorized to execute and cooperative agreements with the U.S. DOE 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 25th day of April 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of ____ Ayes; ____ Nays; ____ Abstained; ____ Absent. Chairperson ____ voting ____ not voting. A Quorum of ____ was present.

ATTEST

Candace Schmidt, Chairwoman
Ponca Tribe of Nebraska

Susan Baker, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 04/19/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04/25/2023

Regular Session Executive Session

Subject: Sioux City Paul Davis Restoration

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

Motion to approve RFP for Paul Davis Restoration to complete the remediation and restoration at the Sioux City Office.

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

Submitted By: Courtney Chavez

APPROVED 
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? PJ Jennings

Revised 1/24/23

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 04/19/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 04/25/2023Regular Session Executive Session Subject: Sioux City Hybrid Work Model


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

Motion to approve Hybrid schedule for Sioux City Team Members to continue to work remotely for 3-6 months pending restoration efforts at Sioux City property. A sample schedule is attached, however, will be finalized if approved. Team Members will work minimum of 2 days in office/3 days remote.

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

Submitted By: Courtney Chavez

APPROVED


Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? PJ Jennings

Revised 1/24/23