

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

JUNE 13, 2023

4:00 PM

LOCAL OFFICE SITES/LIFESIZE

- I. CALL TO ORDER
 - a. Invocation
 - b. Roll Call

- II. APPROVAL OF AGENDA

- III. CONSENT CALENDAR - MOTION
 - a. June 6, 2023 Minutes
 - b. CEO – TRIBAL AFFAIRS April 2023 Monthly report
 - c. RFP – Niobrara Market
 - d. RFP – Strom Construction White Machine Shed repair – Niobrara Storm
 - e. Cultural Center Architecture Agreement with BluStone
 - f. Brad Jolly & Associates billing
 - g. Omaha Right of Way Trust Land use License Agreement
 - h. CCDF ARP Stabilization Grant Application form for Child Care Providers
 - i. Domestic Violence Service Contract with State of Nebraska – Renewal - RESOLUTION
 - j. Upgrade of MIP Accounting Software
 - k. U.S. Department of Environmental Protection (PPG) grant to cover GAP, CERCLA and TRP funding FY23-24 Renewal – RESOLUTION
 - l. Ratifications (to be e-mailed separately)

- IV. PATRICK JENNINGS – CHIEF EXECUTIVE OFFICER TRIBAL AFFAIRS
 - a. Update on Powwow grounds
 - b. Sioux City update

- V. NEW BUSINESS
 - a. Payroll Administrator III Job Description (Makala Laravie, Interim Human Resources Director)
 - b. Storage Unit Security Camera Upgrade (Courtney Chavez)
 - c. OSNI Ponka Youth Council Constitution Bylaws - Revised (Councilwoman Sullivan)

- VI. OTHER BUSINESS

- VII. EXECUTIVE SESSION
 - a. Carter Lake Storage Units – (Courtney Chavez, DDTA & David Threm, Interim OSNI CEO)

- VIII. ADJOURN

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 06 / 01 / 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: 06 / 13 / 2023

Regular Session Executive Session

Subject: Lunch for the Tribal Science Council Meeting

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

Motion to approve the purchase of lunches to be provided by the Niobrara Market for a meeting at the Powwow grounds for the National Tribal Science Council Meeting which will be July 25th

The National Tribal Science Council is a collaboration of representatives from each of the 10 EPA regions, both EPA and Tribes. The purpose of the group is to work on science concerns that Tribes have in each of the regions. Quarterly they have meetings, half in Tribal Lands and half at an EPA Lab. This meeting is being hosted by the Santee Sioux Nation with a half a day at the Ponca Powwow grounds. It is also requested if any Council Members wish to be present and/or welcome the guest to the Powwow grounds that they can.

Also if any youth might be interested in attending they are welcome.

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

Submitted By: Misha Mazurkewycz

APPROVED 
Executive Management

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

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 06/01/2023

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: 06/13/2023

Regular Session xx Executive Session _____

Subject: Location 45B White Machine Shed Repair

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

Motion to approve the RFP for Strom Construction in the amount of \$14,165.00 to repair white machine shed to include overhead door and repair sidewalls impacted by the May 12th Storm and Tribally declared emergency.

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

Submitted By: Victoria Champaign

APPROVED _____


Executive Management

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

James Wright /
TORI Champaign

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/30/23

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: 6/6/23

Regular Session Executive Session

Subject: Ponca Cultural Center Architecture Contract Agreement

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

Motion to approve the revised Agreement Between Owner and Architect contract to begin services with BluStone Architecture Studio.

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

(If there are support materials, one copy must be attached)

Submitted By: Ricky Wright

APPROVED


Executive Management

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

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 06 / 03 / 23

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: 06 / 13 / 23

Regular Session Executive Session

Subject: Omaha Right of Way Trust Land License

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

Motion to approve the Use License Agreement between the City of Omaha and Ponca Tribe. This license will allow the City of Omaha to work in the area of Trust land near the Prairie Flower Casino and Ponca Smoke Signals. The work being done is to upgrade the current force water main in the area.

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

Submitted By: Benjamin Douglass

APPROVED _____
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Ben D. or Brad Jolly

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/6/2023

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: 6/13/2023

Regular Session Executive Session

Subject: CCDF ARP Stabilization application

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

Motion to approve the CCDF ARP Stabilization grant application for CCDF providers.

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

**Application has been reviewed and approved by Brad Jolly

Submitted By: Stephanie Pospisil

APPROVED Penny-M. Jingle
Executive Management

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

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/6/2023

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: 6/13/2023

Regular Session XX Executive Session _____

Subject: Domestic Violence Service Contract

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

Motion to approve the Domestic Violence Service Contract with the State of Nebraska from July 1, 2023 to June 30, 2025. _____

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

**DV contract attached which has been reviewed and approved by Brad Jolly.

Submitted By: Stephanie Pospisil

APPROVED Penny M. Jung
Executive Management

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

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 Nebraska Department of Health and Human Services (NDHHS) awards funds to the Ponca Tribe of Nebraska's Domestic Violence Program every year and the state will be issuing funds for the Domestic Violence Program again for 2023-25;

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

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

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink is authorized to execute grant and cooperative agreements with NDHHS 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 13th day of June 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: 06/06/2023

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: 06/13/2023

Regular Session Executive Session

Subject: Upgrade of MIP Accounting Software

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

Motion to allow the conversion and upgrade of our MIP Accounting software at an initial annual expense of \$20,466.24 to include conversion and up to \$3,500 to support subscription training pass to be budgeted as part of indirect costs within Finance,

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

Submitted By: Greg Gunderson _____

APPROVED David Threm & Greg Gunderson _____
Executive Management

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

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 6/8/2023

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: 6/20/2023


Subject: U.S. Department of Environmental Protection PPG grant

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

Motion to approve applying for the U.S. Department of Environmental Protection PPG grant to cover GAP, CERCLA and TRP funding for FY23-24

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  6/7/23
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. Environmental Protection Agency (EPA) has created Performance Partnership Grants (PPG) for Tribes to group grant funds under one umbrella, including the Tribal Resource Program (TRP), Indian Environmental General Assistance Program (IGAP) and Clean Air Act (CAA) funds;

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

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

THEREFORE, BE IT RESOLVED that Stephanie Geery-Zink is authorized to execute grant and cooperative agreements with the EPA 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 20th day of June 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: 6 / 8 / 23

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: 6 / 13 / 23

Regular Session Executive Session

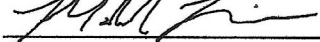
Subject: Job Description Approval – Payroll Administrator III

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

The Finance Department is requesting the approval of position Payroll Administrator III. This position will lead the payroll processing along with reporting and compliance of PTN policies and applicable laws/regulations.

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

Submitted By: Greg Gunderson, Chief Financial Officer
Jamie Doerr, Deputy Director of Finance
Makala Laravie, Interim Human Resources Director

APPROVED 
Makala Laravie, Interim Human Resources Director

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

Greg Gunderson, Chief Financial Officer
Jamie Doerr, Deputy Director of Finance
Makala Laravie, Interim Human Resources Director

Revised 1/24/23

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 06/06/2023

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: 06/13/2023

Regular Session Executive Session

Subject: Storage Unit Security Camera Upgrade

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

Motion to approve payments to reimburse Prairie Flower Casino for work performed to upgrade the security camera system at Strong Box Storage. Casino has paid vendor for services and four payments in the amount of \$2,000 and one final payment of \$1,435 will be made to PFC from the Ponca Tribe of Nebraska to reimburse the cost of work performed. Payments will come out of Strong Box Storage fund. Improvements will aid the facility in increase future revenue for the facility. Total cost is \$9,435. Due to some miscommunication, work has been already been completed.

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? Courtney Chavez

Revised 1/24/23