

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 09- 49

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: In the interest of economic development and self sufficiency, the Ponca Tribe of Nebraska Tribal Council hereby recognizes the need to identify strategies to successfully implement the Overall Economic Development Plan of the Ponca Tribe of Nebraska submitted to the Congress by the Assistant Secretary – Indian Affairs, as required by Congress in the Ponca Restoration Act; and

WHEREAS: The Ponca Tribe of Nebraska enterprise developer is the Ponca Economic Development Corporation (PEDCO); and

WHEREAS: The Ponca Tribe of Nebraska Tribal Council has reviewed the PEDCO Articles of Incorporation and amends Section 7 Board of Directors 7.2 Selections, Number and Tenure to read as follows:

- 7.2 Selections, Number and Tenure. The board of directors shall consist of seven members, selected by the Ponca Tribal Council, and follows:
- a. One non-voting member shall be the President of PEDCO
  - b. One non-voting member shall be the Vice President of PEDCO
  - c. Five voting members shall be persons with extensive experience in business in Nebraska or Iowa.

Upon selection of the initial directors, the Ponca Tribal Council shall choose, by lot, one director who will serve an initial term of one year, two directors who will serve an initial term of two years and two directors who will serve an initial term of three years. Subject to the provision of the preceding sentence, each director shall hold office until the expiration of the term to which s/he was selected and until her/his successor has been selected and qualified. Any vacancy on the board of directors shall be filled by the Ponca Tribal Council.

Board of Directors shall be appointed and may be re-appointed by the Ponca Tribal Council. . The Tribal Council shall announce a board

opening in the tribal newsletter. Applicants must submit a letter of interest and current resume to the Ponca Tribal Council.

The Ponca Tribe shall background check and drug test each individual at the time of application. For current board members who are seeking re-appointment, if background check and random drug testing were within 30 days of the application submittal, no additional background checks or drug testing will be conducted.

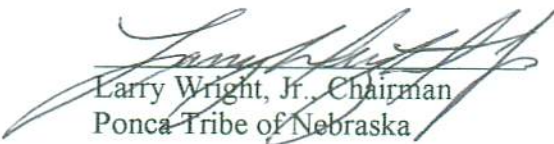
The Tribal Council shall hold interviews for all Board of Director appointments.

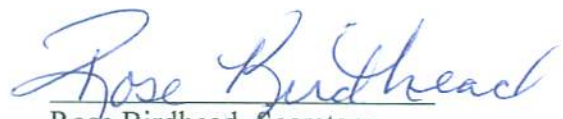
THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council hereby approves the Articles of Incorporation as amended effective this 19 day of September, 2009,

#### 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 19 day of September 2009 at a duly called meeting held in Omaha, Nebraska by a vote of 5 Ayes; 0 Nays; 0 Abstained; 3 Absent. Chairperson      voting ✓ not voting. A Quorum of 6 was present.

#### ATTEST

  
Larry Wright, Jr., Chairman  
Ponca Tribe of Nebraska

  
Rose Birdhead, Secretary  
Ponca Tribe of Nebraska

