

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

NOVEMBER 7, 2016

10:00 AM

TRIBAL TRANSIT FACILITY
1800 SYRACUSE AVENUE
NORFOLK, NEBRASKA

- I. CALL TO ORDER
 - a. Roll Call
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - a. October 15, 2016
 - b. October 16, 2016
 - c. September 6, 2016 TC Minutes Amended
- IV. RATIFICATION OF ACTIONS
- V. CHAIRMAN'S REPORT
- VI. HOLLAND KNIGHT LEGAL BILLING STATEMENT – MOTION
- VII. EXECUTIVE SESSION
 - a. Gaming Update (James Meggesto, Attorney)
- VIII. PEGGY HARVEY, TRANSPORTATION PLANNER
 - a. Options for Phase II of Education Trail (Brad Jolly, Attorney – Lifesize)
 - b. Procurement of Maintenance Truck - MOTION
- IX. JACOB OLSUFKA, DIRECTOR OF FINANCE
 - a. FY17 General Fund Budget Revised – MOTION
 - b. Cost of Living Allowance for Employees - MOTION
- X. LAND PURCHASE – OMAHA NEBRASKA – RESOLUTION
- XI. JONATHAN ROBINSON, HUMAN RESOURCE DIRECTOR
 - a. HealthSmart Administrative Services Agreement – MOTION
 - b. HealthSmart Renewal – MOTION
 - c. Delta Dental Renewal – MOTION
 - d. Emergency Closing Policy Revision – MOTION
 - e. FLSA Reclassifications – MOTION
 - f. Grants Compliance Coordinator Job Description Revised - MOTION
- XII. TOM WRIGHT, EDTA
 - a. Report on Norfolk Johnson O'Malley Program
 - b. Child Support Program Update
 - c. Ponca Facilities Rental Policy Revised – MOTION (Rhiannon Clausen, DDTA)
 - d. Use of Norfolk Gym for Fundraiser – MOTION (Jan Beauvais)
- XIII. UNFINISHED BUSINESS
 - a. Shakopee Funding Request - RESOLUTION
 - b. Elders Council Mailing – MOTION (Councilwoman Bossard)
- XIV. NEW BUSINESS
 - a. Whitecoat Allotment - Creation of a Proceeds of Labor (PL) Account – RESOLUTION
 - b. Tribal Council Out of Service Area Travel Budget Policy Revised - MOTION
 - c. Tribal Council Out of Service Area Travel
 - d. Four Directions Community Center Request for Donation – MOTION
 - e. New Year's Eve Sobriety Powwow Request for Donation - MOTION

- f. Nebraskan's for the Arts Request – MOTION
 - g. Northeast Nebraska RC&D Sponsorship Dues – MOTION
 - h. Tax Commission – Transfer of Funds - MOTION (Vice Chairman Lamoureux)
- XV. OTHER BUSINESS
- XVI. EXECUTIVE SESSION
- a. Transfer Promotion Request for Employee #465 - MOTION (Rhiannon Clausen, DDTA)
- XVII. ADJOURN

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 10 / 26 / 2016

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: 11 / 7 / 2016

Subject: Phase II of Trail Options

ACTION REQUEST: (Please describe request in the form of a motion)
 Discussion with Mr. Brad Jolly on our options for phase II of the trail.

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

Submitted By: Peggy Harvey

APPROVED *[Signature]*
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST

DATE SUBMITTED: 10/26/2016

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: 11/7/16

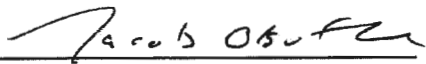
Subject: General Fund Budget Update

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

Motion to approve FY17 General Fund Budget revision.

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

Submitted By: Jacob Olsufka

APPROVED 
Director of Finance

AGENDA ITEM REQUEST

DATE SUBMITTED: 11/1/2016

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 11/7/16

Subject: COLA Payments

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

Motion to approve COLA Payments

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

Submitted By: Jacob Olsufka

APPROVED 
Director of Finance

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 16-_____

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 Tribal Council has voted to pursue the purchase of real estate located at 8600 Sorensen Parkway, Omaha, Nebraska; and

WHEREAS: the legal descriptions are as follows:

LANDS SEC-TWN-RGE 26-16-12 S L 1 & NEW LOT 2 SW 1/4 SW 1/4 SEC 26 16 12
20.86 AC

and

LANDS SEC-TWN-RGE 27-16-12 IRREG 79.92X149.57 FT OF SW PT OF LOT5
LYING E OF WENNINGHOFF RD NE 1/4 NE 1/4 SEC 34 16 12 & E OF
WENNINGHOFF RD NEW LOT 2 SE 1/4 SE 1/4 SEC 27 16 12 4.97 AC

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council approves to pursue the purchase of real estate legally described above through competitive negotiations.

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 November 2016 at a duly called meeting held in 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 Bossard, Secretary
Ponca Tribe of Nebraska

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 10/28/2016

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: 11/7/2016

Subject: HealthSmart Administrative Services Agreement

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

- Motion to approve the HealthSmart Administrative Services Agreement

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



EBTA/CEO/DOF/HRD

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 10/28/2016

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 11/7/2016

Subject: HealthSmart Renewal

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

- Motion to approve the HealthSmart Renewal at a (\$25k or \$30k) specific deductible.

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)

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Meeting of: Tribal Council
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Meeting Date: 11/7/2016

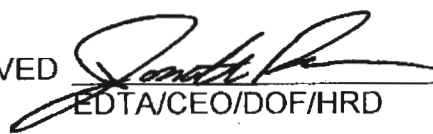
Subject: Delta Dental Renewal

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

- Motion to approve the Delta Dental Renewal

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: 10/28/2016

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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 11/7/2016

Subject: Emergency Closing Policy Revision

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

- Motion to approve the Emergency Closing Policy Revision

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)

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Meeting of: X Tribal Council
 _____ Executive Committee

Meeting Date: 11/7/2016

Subject: FLSA Reclassification

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

- Motion to approve moving the following positions to a non-exempt status:
 - Director of Northern Ponca Buffalo Programs
 - Culture Director
 - Environmental Manager
 - Youth Prevention Specialist/Substance Abuse Counselor
 - Substance Abuse Mental Health Counselor
 - Billing and Patient Benefits Coordinator
 - Clinic Registered Nurse - Norfolk
 - Social Services Case Manager Coordinator
 - ICWA Specialist
 - Domestic Violence Program Coordinator
 - Transportation Manager
 - Tribal Communications Specialist

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

Submitted By: Jonathan Robinson

APPROVED 
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Meeting of: Tribal Council
 Executive Committee

Meeting Date: 11/7/2016

Subject: Grants Compliance Job Description

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

- Motion to approve the Grant Compliance Job Description

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

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

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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 is requesting financial support from the Shakopee Mdewakanton Sioux Community in the total amount of \$500,000 for the following projects:

Tribal Health – Funding in the amount of \$400,000 to \$500,000 for preconstruction services from DSGW Architects necessary for complying with the IHS Joint Venture Construction Program requirements. Estimated cost is \$2.3 million. The Tribe is requesting assistance to cover approximately 17% (if the \$100,000 culture request is funded) to 22% of these costs (if all \$500,000 goes to the JVCP project).

Culture – Pow Wow arena, which is over 20 years old, needs to be rebuilt and this funding would be utilized to engage DSGW Architects, Inc. to design the pow wow arena and MC stand as well as remaining funding going towards cost of the renovations.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Tribal Council supports the request to the Shakopee-Mdewakanton Sioux Community in the amount of \$500,000 for the above projects.

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 November 2016 at a duly called meeting held in Norfolk, Nebraska by a vote of _____ Ayes; _____ Nays; _____ Abstained; _____ Absent. Chairperson _____ voting _____ not voting. A Quorum of _____ was present.

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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 of Nebraska is requesting the Office of Special Trustee for American Indians establish a Proceeds of Labor (PL) account to distribute lease income for administrative purposes.

THEREFORE, BE IT RESOLVED THAT the Proceeds of Labor (PL) account established for purposes of distributing lease income for administration purposes as determined by the Ponca Tribe of Nebraska, to be withdrawn by Tribal Resolution.

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