

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL
AGENDA

MAY 8, 2017
10:00 AM
FRED LEROY HEALTH & WELLNESS CENTER
2602 J STREET
OMAHA, NEBRASKA

- I. CALL TO ORDER
 - a. Roll Call
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - a. April 22, 2017
 - b. April 23, 2017
- IV. RATIFICATION OF ACTIONS
- V. CHAIRMAN'S REPORT
- VI. ACTION ITEM REVIEW
- VII. LAW & ORDER CODE
 - a. Title IV Revision to Child Support Portion of the L&O Code – SECOND READING/RESOLUTION (Ruthanne Gallup/Robin Arreguin)
- VIII. JOEY NATHAN, EXECUTIVE DIRECTOR – NPHA
 - a. ICDBG Application FY17 - RESOLUTION
 - b. Support of NPHA Resolution 2017-05 - MOTION
- IX. STEPHANIE POSPISIL, DIRECTOR OF SOCIAL SERVICES
 - a. Tribal Court Improvement Grant Application – RESOLUTION
- X. ROBIN ARREGUIN, DIRECTOR-CHILD SUPPORT ENFORCEMENT (Lifesize)
 - a. Non Federal Share – Tribal Match Request – MOTION
- XI. JULIA SAGE, ENVIRONMENTAL MANGER (Lifesize)
 - a. Environmental Sampling Meters Purchase – MOTION
- XII. BILL YUNKER, DIRECTOR OF FACILITIES & RISK MANAGEMENT (Lifesize)
 - a. RFP for Replacement Storm Windows - MOTION
- XIII. PONCA YOUTH COUNCIL (Raven Perales) (Lifesize)
 - a. Youth Council Constitution & Bylaws Revised – MOTION
 - b. Budget - MOTION
- XIV. JACOB OLSUFKA, DIRECTOR OF FINANCE
 - a. Wells Fargo Credit Card – MOTION
- XV. JESSIE HOVER, HEALTH PLANNER
 - a. NIH-UNMC Grant Application-Chronic Disease Intervention Project - RESOLUTION
- XVI. UNFINISHED BUSINESS
 - a. Board/Committees Discussion
 - b. NPHA Applicants – Review/Schedule Interviews/Approve
- XVII. NEW BUSINESS
 - a. Big Bang Boom Request – MOTION
 - b. Brad Jolly Legal Billing Statement – MOTION
 - c. Elders Council Postage Request – MOTION (Councilwoman Bossard)
- XVIII. OTHER BUSINESS
- XIX. ADJOURN

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 17-_____

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 reviewed the proposed amendments to the Ponca Tribe of Nebraska Law & Order Code Title IV – Domestic Relations; and

WHEREAS: The proposed amendments to the Law & Order Code Title IX – Domestic Relations notice was placed on the March 26, 2017 Tribal Council Agenda to allow comments from the public and on April 23 and May 8, 2017 for first and second readings respectively. A notice of intent to amend the Law & Order Code Title IV – Domestic Relations was placed in the newsletter at least 14 days prior to any final action satisfying the requirements for the adoption, amendment, or abolishment of Ordinance.

THEREFORE BE IT RESOLVED that the Ponca Tribal Council approves the amendments to the Ponca Tribe of Nebraska Law & Order Code Title IV – Domestic Relations.

BE IT FURTHER RESOLVED that these amendments shall take effect immediately.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing amended resolution was duly authorized and passed by the Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting held in Omaha, Nebraska on the _____ day of May 2017 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

LAW AND ORDER CODE REVISION
****** NOTICE: All Tribal Members ******
FIRST READING – APRIL 23, 2017
SECOND READING/APPROVAL – MAY 8, 2017

The Tribal Council will be discussing amending the Law and Order Code. Please take your time to read this FLYER

The Ponca Tribal Council will be proposing amending the Law and Order Code. The revisions are being considered to ensure the safety and confidentiality of Petitioners who file in the Ponca Tribal Court. By amending these Rules, the Ponca Tribal Child Support Program may utilize the Ponca Tribal Court.

CHANGES TO CHILD SUPPORT PORTION OF CODE BEING CONSIDERED INCLUDE

- **Section 4-1-8. Added the Omission of Address from Pleadings.** This allows Petitioners to omit addresses from documents in cases where there is a risk of personal safety.
- **Section 4-7-4. Added number 5.** This adds a civil fine not to exceed \$800.00 for any person who willfully discloses protected confidential information protected under the child support section.
- **Section 4-7-5 Added Confidentiality of Hearings.** Excludes general public from all hearings under this Chapter. Allows the parties and their legal counsel, witnesses, and other persons determined to be appropriate by the Court, in its discretion to attend hearings.
- **Section 4-7-21. Added wording to number 8.** This states that notice shall be on a form required by applicable law.
- **Section 4-7-21 Added wording to number 14.** Clarified a mistake of fact.
- **Section 4-7-25 Added wording on Overpayments.** Included information about improper income withholding orders.
- **Section 4-8-6 Genetic Testing.** Stated that the Child Support Program may not use their funds to conduct genetic testing for another department or agency of the Tribe.
- **Section 4-8-6 number 3 c. Genetic Testing.** Excludes Genetic Testing when it is not in best interest of child.
- **Section 4-9-10 Added number 6 Confidentiality of Court Records.** Includes a civil fine not to exceed \$800 for a person who willfully discloses confidential information protected under this Section.
- **Section 4-9-11 Confidentiality of Hearings.** Excludes general public from all hearings under this Chapter. Allows the parties and their legal counsel, witnesses, and other persons determined to be appropriate by the Court, in its discretion to attend hearings.

A complete copy of the proposed amendments is available at the tribal offices, or one may be obtained by contacting Jan Colwell, Tribal Council Secretary at 402-857-3391.

**PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL**

RESOLUTION 17-____

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 power contained in the Constitution; and

WHEREAS: the Ponca Tribe of Nebraska has designated the Northern Ponca Housing Authority as its Tribally Designated Housing Entity, with the authority to administer and participate in housing programs for the benefit of the Ponca Tribe and its members, pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101); and

WHEREAS: the Tribal Council of the Ponca Tribe of Nebraska desires to have an application for an Indian Community Development Block Grant for Fiscal Year 2017 prepared and submitted on behalf of the Ponca Tribe of Nebraska for housing activities; and

NOW THEREFORE, BE IT RESOLVED that the Tribal Council of the Ponca Tribe of Nebraska hereby delegates the Northern Ponca Housing Authority the sole authority to prepare and submit on behalf of the Ponca Tribe of Nebraska and Indian Community Development Block Grant application for Fiscal Year 2017; and

BE IT FURTHER RESOLVED that the Tribal Council of the Ponca Tribe of Nebraska hereby delegates the Northern Ponca Housing Authority the authority to administer and manage said Indian Community Development Block Grant for Fiscal Year 2017; and

BE IT FINALLY RESOLVED that the Tribal Council of the Ponca Tribe of Nebraska hereby certifies that all Citizen Participation requirements regarding the Indian Community Development Block Grant application have been met according to 24 CFR 1003.604.

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 _____, 2017 at a duly called meeting held in _____, Nebraska by a vote of ____ Ayes; ____ Nays; ____ Abstained; ____ Absent. Chairperson ____ voting ____ not voting. A Quorum of ____ was present.

ATTEST

Larry Wright Jr., Tribal Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska



NORTHERN PONCA HOUSING AUTHORITY



Resolution 2017-05

APPROVAL TO UTILIZE IHBG FUNDS AS LEVERAGE FOR 2017 INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT (ICDBG) PROJECT

WHEREAS, the Tribal Council of the Ponca Tribe of Nebraska has designated the Northern Ponca Housing Authority (NPHA) as its Tribally Designated Housing Entity by Tribal Council Resolution No. 97-67; and

WHEREAS, tribes and tribal organizations are eligible recipients of funding made available to improve the nation's housing for Native American people from the U.S. Department of Housing and Urban Development (HUD) through its Indian Community Development Block Grant (ICDBG) Program; and

WHEREAS, the NPHA has been authorized by the Tribal Council of the Ponca Tribe of Nebraska and the Bureau of Indian Affairs to apply for an ICDBG as a Tribal Organization and Tribally Designated Housing Entity; and

WHEREAS, the NPHA Board of Commissioners has identified the need for land acquisition and housing infrastructure for future new construction activities and has selected the ICDBG as the best program for moving forward with future development planning activities; and

WHEREAS, the Board of Commissioners of NPHA, as appointed by the Tribal Council of the Ponca Tribe of Nebraska, is submitting a 2017 ICDBG proposal requesting \$1,000,000 for Land Acquisition and Housing Infrastructure activities; and

WHEREAS, the NPHA Board of Commissioners has identified \$333,000 in future Indian Housing Block Grant funds to be utilized as leverage in its 2017 ICDBG land acquisition and housing infrastructure activities project; and

WHEREAS, the NPHA Board of Commissioners certifies that the NPHA will continue to be responsible for the ongoing maintenance of the future new housing construction units according to its operations and maintenance policy, and will secure assurances from tenants that they will complete light maintenance and upkeep as specified in individual Lease Agreements; and assures that all new construction activities will be constructed within two years of site purchase; and

WHEREAS, the NPHA Board of Commissioners certifies that the NPHA has adopted Housing Standards as specified in Section III.C.2.b of the 2017 ICDBG NOFA; and

THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Northern Ponca Housing Authority has reviewed and understands the requirements of the ICDBG program and authorizes the NPHA Executive Director to prepare and submit an ICDBG application for FY 2017; and

BE IT FURTHER RESOLVED that the Northern Ponca Housing Authority Board of Commissioners is authorizing the use of a total of \$333,000 in Indian Housing Block Grant funds, spread over five years (\$66,600 each year from FY 2018 through FY 2022), to be utilized as leverage for the ICDBG project to acquire land and begin housing infrastructure activities for low and moderate income families and/or individuals.

APPROVAL TO SUBMIT AN APPLICATION FOR 2017 INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CERTIFICATION

The foregoing Resolution No. **2017-05** approving the utilization of FY 2018, FY 2019, FY 2020, FY 2021 and FY 2022 IHBG funds as leverage for the 2017 ICDBG proposal, was adopted by the Northern Ponca Housing Authority Board of Commissioners at a duly called meeting on the ____ day of _____, 2017, at which a quorum, as present, by a vote of ____ in favor, ____ opposed, ____ absent, and ____ abstaining.

ATTEST

Mark Peniska, Chairman
Northern Ponca Housing Authority
Board of Commissioners

JoAn Ehlers, Secretary
Northern Ponca Housing Authority
Board of Commissioners

Date

Date

CONCUR

Larry Wright Jr., Chairman
Ponca Tribe of Nebraska

Candace Bossard, Secretary
Ponca Tribe of Nebraska

Date

Date

AGENDA ITEM REQUEST

(for employees only)

DATE SUBMITTED: 4/28/2017

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: XX Tribal Council
 _____ Executive Committee

Meeting Date: 5/8/2017

Subject: Grant Application approval

ACTION REQUEST: (Please describe request in the form of a motion)
Motion to approve a resolution in support of the Department of Social Service's submission of the Tribal Court Improvement Non-Competing Continuation funding application.

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 _____
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA
TRIBAL COUNCIL

RESOLUTION 17-_____

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 funded under this program.

THEREFORE, BE IT RESOLVED that the Social Services Director, Stephanie Pospisil, is approved to submit the Non-Competing Continuation application for funding to the Tribal Court Improvement Program, administered by the Administration for Children and Families 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 _____ day of May 2017, at a duly called meeting held in Omaha, 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: 4/27/2017

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: May 8th, 2017

Subject: Non Federal Share/ Tribal Match

ACTION REQUEST: (Please describe request in the form of a motion)
Motion to approve use of Tribal general Funds/tax funds to cover the Tribal Match for Child Support Program.

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

Submitted By: Robin E. Arreguin Director PTN CSP

APPROVED **Thomas Wright**
Executive Director of Tribal Affairs
Digitally signed by Thomas Wright
DN: cn=Thomas Wright, o=Ponca Tribe of
Nebraska, ou, email=twright@poncatrbe-ne.org,
c=US
Date: 2017.05.01 09:26:53 -05'00'

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 4/28/2017

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: 5/3/2017

Subject: Approval to purchase Environmental Sampling Meters

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

1. Requesting approval of purchase of 2 RAE Systems Multirae Pro w/Li-ion Rechargeable Battery for sampling for Vapor intrusion with in Tribal Homes when an environmental issue arises also to protect TRP 128(a) and NPHA staff when entering an unknown space.

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

Submitted By: Julia Sage

APPROVED R. Clauson DOTA 4.28.17
Executive Director of Tribal Affairs

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/2/17

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: / /

Subject: Culture bldg upkeep - Replacement Storm Windows

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

Request a motion to use the bid received by
Thermolok in the amount of \$10,230.00 with
a payment in the amount of \$5,115.00 provided as
downpayment - use funds from carry over fund 339
to replace rotten & damaged storm windows at
the culture building while staying within the
parameters of the Historical Society guidelines

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

Submitted By: Bill Yunker / Randy Tabar

APPROVED **Thomas Wright**
Executive Director of Tribal Affairs

Digitally signed by Thomas Wright
DN: cn=Thomas Wright, o=Ponca Tribe of Nebraska,
ou, email=twright@poncatrbe-ne.org, c=US
Date: 2017.05.02 11:38:08 -05'00'

AGENDA ITEM REQUEST

DATE SUBMITTED: 5/1/2017

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: 5/8/17

Subject: Wells Fargo Credit Card

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

Motion to approve business credit application

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 Jacob Olsufka
Director of Finance

Digitally signed by Jacob Olsufka
DN: cn=Jacob Olsufka, o=Ponca Tribe of
Nebraska, ou=DOF,
email=jolsufka@poncatrbe-ne.org, c=US
Date: 2017.05.01 14:01:58 -05'00'

AGENDA ITEM REQUEST
(for employees only)

DATE SUBMITTED: 5/3/17

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

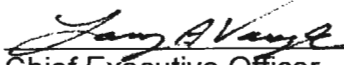
Meeting Date: 5/8/17

Subject: NIH Grant Proposal Partnership – UNMC Chronic Disease Management Pilot

ACTION REQUEST: (Please describe request in the form of a motion)
Resolution to support re-submission of a revised chronic disease management program proposal by the University of Nebraska Medical Center with PTN as a subrecipient.

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

Submitted By: Jessie Hover

APPROVED 
Chief Executive Officer

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 National Institutes of Health (NIH) has funding to support the proposal entitled "A Community Approach in Promoting Healthy Hearts Among Urban Native Americans" through the Parent ROI grant funding mechanism; and

WHEREAS: American Indians and Alaska Natives (AI/AN) experience health disparities in cardiovascular disease (CVD) indicators in comparison to other US populations; The University of Nebraska Medical Center (UNMC) has invited Ponca Health Services to join a partnership including the UNMC Colleges of Public Health and Nursing, the Nebraska Urban Indian Health Coalition, and South Dakota Urban Indian Health Inc. to adapt, implement, and evaluate a cardiovascular disease risk reduction model using a community-based participatory research approach modeled after an effective intervention known as the COACH trial.

THEREFORE, BE IT RESOLVED that the Ponca Tribal Council supports: Establishing a partnership with UNMC on a proposal for funding under NIH to adapt and evaluate a CVD risk reduction model.

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 May, 2017, at a duly called meeting held at Omaha, 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