

OMAHA TRIBE OF NEBRASKA

Executive Officers

Members

Jason Sheridan, Chairman
Jerome Hamilton, Vice-Chairman
Alan Harlan, Treasurer
Dustin Lovejoy, Secretary



Members

Leander Merrick
Galen Aldrich
Calvin Harlan

RESOLUTION NO. 24-73

OF THE

OMAHA TRIBE OF NEBRASKA

- RE:** Under Section 2. **OBJECTIVE**, paragraph 14. of the Consent Decree states “It is the express goal of the parties in entering into this Consent decree to have the defendants achieve and maintain continuous, sustainable, and long term compliance SWDA, CWA and RCRA in the operation of their Tribal Utilities and Under Section 5. **INJUNCTIVE RELIEF**, paragraph 18. Reserve Account, “defendants shall establish an interest bearing Reserve Account to insure funding for Tribal Utilities capital improvements or emergency situations only.”
- WHEREAS:** The Omaha Tribe of Nebraska is federally recognized Indian tribe of organized under a constitution and bylaws approved by the Secretary of Interior on April 30, 1936, pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934; and
- WHEREAS:** pursuant to Article III, Sec.1 of the constitution of the Omaha Tribe of Nebraska, the governing body of the Omaha Tribe shall also be known as Tribal Council; and
- WHEREAS:** pursuant to Article IV, Sec. 1 (g) of the constitution of the Omaha Tribe of Nebraska the governing body of the Omaha Tribe shall appropriate for public purposes of the Omaha Tribe of Nebraska funds within the exclusive control of the Tribe and any other available funds.
- WHEREAS:** Article IV, Section 1 (j) of the Constitution of the Omaha Tribe of Nebraska provides the Omaha Tribal Council with the power to safeguard and promote the economy and general welfare of the Omaha Tribe; and,
- WHEREAS:** It is in the best interest of the Omaha Tribe of Nebraska to insure and maintain continuous, sustainable safe drinking water, wastewater and solid waste services to continue to maintain the current Tribal Utilities reserve account, and
- WHEREAS:** It is in the best interest of the Omaha Tribe of Nebraska to maintain a reserve account to address unforeseen weather, climate, or mechanical failures can affect utility operations, preventing the delivery of water to tribal members or other necessary services, and
- WHEREAS:** The Omaha Tribe of Nebraska recognizes emergency repairs can be very costly and must be addressed in a timely manner in order to maintain clean, safe water to our tribal members

WHEREAS: The Omaha Tribe of Nebraska further recognizes funds to repair emergency repairs can take several weeks to months to secure from traditional Federal agencies, and

WHEREAS: it is prudent and wise to maintain a reserve account, and in keeping with the long term objective of the consent decree to maintain sustainable services in the event of an emergency.

NOW THEREFORE, BE IT RESOLVED THAT: The Omaha Tribal Council hereby declares and commands Tribal Utilities to maintain the reserve account for emergency repairs (not operational expenses) for the use of/ by Tribal Utilities in the event of an emergency or major capital expenditures.

NOW THEREFORE, BE IT RESOLVED THAT: the Omaha Tribal Council hereby authorizes and declares that it will replenish the reserve account if the reserves fall under \$100,000. It is the Utilities Director responsibility to immediately report to the Council any time the reserve account falls below \$100,000.00.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT: the Omaha Tribe intends to fund and maintain the reserve account for emergency Tribal Utility expenses after the termination of the EPA consent decree.

CERTIFICATION

This is to certify that the foregoing resolution was considered at a duly called meeting of the Omaha Tribal Council on the ___ day of _____, 2024, and was adopted by a vote of: ___ for; ___ against; ___ abstaining; with the Chairman not voting. A quorum of ___ was present.

MEMBERS VOTE:	YES	NO	ABSTAIN
Jason Sheridan			
Jerome Hamilton			
Alan Harlan			
Dustin Lovejoy			
Leander Merrick			
Galen Aldrich, Sr.			
Calvin Harlan			

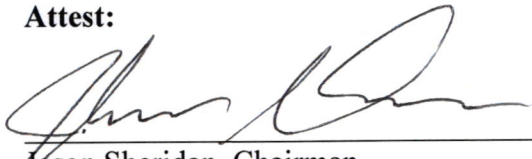
Submitted by:



 Dustin Lovejoy, Secretary
 Omaha Tribal Council

 4/28/24
 Date

Attest:



 Jason Sheridan, Chairman
 Omaha Tribal Council

 4/23/24
 Date