

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL  
AGENDA

FEBRUARY 4, 2019  
10:00 AM

TRIBAL OFFICE  
1701 E STREET  
LINCOLN, NEBRASKA

- I. CALL TO ORDER
  - a. Roll Call
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
  - a. January 19, 2019
  - b. January 20, 2019
- IV. RATIFICATION OF ACTIONS
- V. CHAIRMANS REPORT
- VI. GARY STOLTENBERG, ELDERS COUNCIL
  - a. Request Budget FY19 Budget Modification – MOTION
- VII. KITRINA KEY, ENROLLMENT SPECIALIST
  - a. Approval of Applicants – RESOLUTION
- VIII. STEPHANIE SLOBOTSKI, TRANSPORTATION PLANNER
  - a. Storm Shelter Project Site Work Plans & Estimate – DISCUSSION
- IX. STEPHANIE POSPISIL, DIRECTOR OF SOCIAL SERVICES
  - a. Sioux City Social Services Case Manager Job Description Revised - DISCUSSION
- X. MATT KENNEDY, PONCA GAMING ENTERPRISE
  - a. Prairie Flower Casino – Payment to Kraus Anderson – MOTION
  - b. Prairie Flower Casino – 401K Plan - MOTION
- XI. JACOB OLSUFKA, DIRECTOR OF FINANCE
  - a. Tribal Accountant Position Description – MOTION
  - b. Increase Micro-Purchase Threshold - MOTION
  - c. Shakopee Loan – RESOLUTION
    - i. Shakopee Depository Agreement – DISCUSSION
    - ii. First National Bank Accounts – DISCUSSION
    - iii. Draw Request #12 – MOTION
  - d. Cell Tower Easement - RESOLUTION
- XII. FALON MCALPIN, EXECUTIVE DIRECTOR OF TRIBAL AFFAIRS
  - a. Revised Naming of Buildings Policy – MOTION
  - b. Tribal Historic Preservation Officer – RESOLUTION
- XIII. JONATHAN ROBINSON, HUMAN RESOURCE DIRECTOR
  - a. IT Manager Position – DISCUSSION/MOTION
- XIV. LARRY VOEGELE, CHIEF EXECUTIVE OFFICER
  - a. RFP for PRC Repricer Software – MOTION
  - b. Barton & Associates Contract – MOTION
  - c. UNMC & Tribal Health Services Subcontract – RESOLUTION
  - d. Ponca Health Services Document Retention Schedule - MOTION
- XV. UNFINISHED BUSINESS
  - a. Tribal Council 2019 Meeting Schedule (Chairman Wright)
- XVI. OTHER BUSINESS
- XVII. EXECUTIVE SESSION
  - a. Falon McAlpin, Executive Director of Tribal Affairs
    - i. Emergency Assistance for Members Effected by the Government Shutdown – MOTION
    - ii. Confidential Matter – DISCUSSION
- XVIII. ADJOURN

**AGENDA ITEM REQUEST**

(For employees only)

DATE SUBMITTED: 01/22/2019

All agenda item requests must be approved by the Executive Director of Tribal Affairs and forwarded to the Niobrara Office, Attn: Jan Colwell five (5) **working days before the meeting.**

Meeting of:  Tribal Council  
 Executive Committee

Meeting Date: 02/04/2019

Subject: Applicants

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

- Motion to approve ( ) applicants.

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

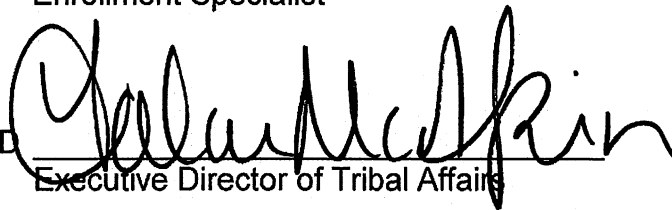
Submitted By:

*Kitrina Key*

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Kitrina Key – Enrollment Specialist

APPROVED

  
Executive Director of Tribal Affairs

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 1/24/19

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: 2/4/19

Subject: Storm Shelter Project site work plans and estimate discussions

ACTION REQUEST: (Please describe request in the form of a motion)  
No formal action requested at this time, just a review of the plans and estimate to review our options to put the project out for bid.

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

Submitted By: Stephanie Slobotski

APPROVED \_\_\_\_\_  
Executive Director of Tribal Affairs





**AGENDA ITEM REQUEST**

DATE SUBMITTED: 1/28/2019

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: 2/4/19

Subject: Tribal Accountant Position Description

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

Motion to Approve

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=Finance Director,  
email=jolsufka@poncatribes-ne.org, c=US  
Date: 2019.01.28 11:20:35 -06'00'

**AGENDA ITEM REQUEST**

DATE SUBMITTED: 1/28/2019

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: 2/4/19

Subject: Increase Mico-Purchase Threshold

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

Motion

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=Finance Director,  
email=jolsufka@poncatrbe-ne.org, c=US  
Date: 2019.01.28 14:30:57 -06'00'

**AGENDA ITEM REQUEST**

DATE SUBMITTED: 1/28/2019

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: 2/4/19

- Shakopee 1.5MM Loan (Resolution)
  - o Shakopee Depository Agreement (Discussion)
  - o First National Bank Accounts (Discussion)
  - o Draw Request #12 (Motion)

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

Please see above

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=Finance Director,  
email=jolsufka@poncatribene.org, c=US  
Date: 2019.01.28 09:50:43 -06'00'



PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 19-\_\_\_\_\_

**APPROVING GRANTING OF EASEMENT RIGHTS TO ATC SEQUOIA LLC, A DELAWARE LIMITED LIABILITY COMPANY IN ACCORDANCE WITH TRIBAL LAW, AND OTHER MATTERS.**

**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 Tribe of Nebraska owns certain Property in Madison County, Nebraska on which ATC Sequoia LLC, a Delaware limited liability company (“ATC”) currently operates a communications facility; and

**WHEREAS:** The Ponca Tribe of Nebraska intends to grant to ATC an option to purchase a perpetual, exclusive easement for ATC to continue its operation of the communications facility (the “*Transaction*”); and

**WHEREAS:** The Ponca Tribe of Nebraska is contemplating entering into the following agreements with ATC: (i) an Option Agreement to Purchase Communications Easement to allow ATC an exclusive option to purchase a perpetual, exclusive communications easement and perpetual, non-exclusive access and utility easement, (ii) a Nebraska Easement Deed to grant to ATC certain easement rights with respect to the Easement Areas on the Property, and (iii) an Assignment and Assumption Agreement for ATC to assume the Lease, and all associated rights and obligations thereof, of a portion of the Property.

**NOW, THEREFORE BE IT RESOLVED,** that the Chairman of the Tribal Council hereby authorizes the Ponca Tribe of Nebraska to enter into the aforementioned agreements with ATC and all other documents associated with the Transaction; and

**BE IT FURTHER RESOLVED,** that the Tribal Council hereby determines that pursuant to applicable tribal law, the Transaction may be carried out by the Chairman 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 Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting held in Lincoln, Nebraska on the \_\_\_\_ day of February, 2019 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 Schmidt, Secretary  
Ponca Tribe of Nebraska

**AGENDA ITEM REQUEST**  
(for employees only)

DATE SUBMITTED: 01/25/2018

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: 02/04/2018

Subject: Revised Naming of Buildings Policy

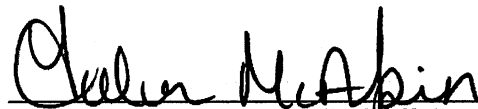
ACTION REQUEST: (Please describe request in the form of a motion)

- Review/approve the revised Naming of Building Policy (Motion)

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

Submitted By: Falon McAlpin

APPROVED

  
Executive Director of Tribal Affairs

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 01/25/2018

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: 02/04/2018

Subject: Change THPO Point of Contact

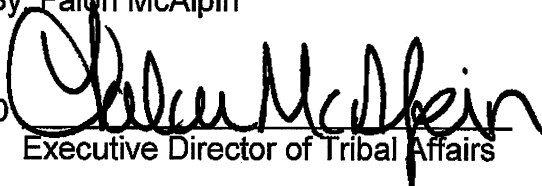
ACTION REQUEST: (Please describe request in the form of a motion)

- Review/approve the revised THPO Resolution and Letter; updating the Point of Contact for the Ponca Tribe of Nebraska (Motion)

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

Submitted By: Falon McAlpin

APPROVED

  
Executive Director of Tribal Affairs

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 19-\_\_

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 Tribe of Nebraska Tribal Council realizes the need to protect, preserve and promote Ponca Culture; and

WHEREAS: The Ponca Tribal Council wishes to develop a balanced plan for managing all aspects of cultural resource protection.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Ponca Tribe of Nebraska hereby authorizes and shall undertake a Cultural Resource Management effort; and

BE IT FURTHER RESOLVED that the Ponca Tribe of Nebraska Tribal Council establishes by this Resolution a Tribal Historic Preservation Office charged with the oversight and development of a Cultural Resource Management Plan as authorized under Section 101(d)(2) of the National Historic Preservation Act to assume a portion of the functions currently carried out by the State Historic Preservation Office, with Nicholas Mauro functioning as the designated Ponca Tribe of Nebraska Tribal Historic Preservation Officer.

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 February 2019, at a duly called meeting held at Lincoln, 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 Schmidt, Secretary  
Ponca Tribe of Nebraska

**AGENDA ITEM REQUEST**  
(for employees only)

DATE SUBMITTED: 01/28/2019

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: 02/04/2019

Subject: Personnel Requisition Form – IT Manager

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

- Motion to approve the Personnel Requisition Form – IT Manager

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: 01/25/2019

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Meeting of:  Tribal Council  
 Executive Committee

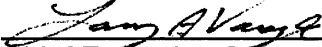
Meeting Date: 02/04/2019

Subject: RFP Approval: PRC Repricer Software

ACTION REQUEST: (Please describe request in the form of a motion)  
Motion to approve RFP for 3M repricer software for the Purchased/Referred Care Program (adjusts outpatient visits to Medicare-like-rates)

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

Submitted By: Larry A Voegele

APPROVED   
Chief Executive Officer

**AGENDA ITEM REQUEST**  
(for employees only)

DATE SUBMITTED: 01/25/2019

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Meeting of:  Tribal Council  
 Executive Committee

Meeting Date: 02/04/2019

Subject: Contract Approval: Temporary Medical Staffing Agency

ACTION REQUEST: (Please describe request in the form of a motion)  
Motion to approve contract with Barton & Associates for temporary medical staffing for filling in for planned/unplanned medical staff leave

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

Submitted By: Larry A Voegele

APPROVED   
Chief Executive Officer

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 01/11/2019

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: 02/04/2019

Subject: UNMC and Tribal Health Services Subcontract for services for geriatric education program

ACTION REQUEST: (Please describe request in the form of a motion)  
Motion to approve a request for a subcontract with University of Nebraska Medical Center, Division of Geriatrics, Gerontology and Palliative Care to who will establish a partnership with the Ponca Tribe of Nebraska in its HRSA proposal to create and operate a geriatrics health care.

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

Submitted By: \_\_\_\_\_

APPROVED \_\_\_\_\_  
Executive Director of Tribal Affairs



PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 19-\_\_\_\_\_

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 Commission of Indian Affairs; and

WHEREAS: Pursuant to the Constitution of the Ponca Tribe of Nebraska and the Ponca Tribe of Nebraska Law & Order Code, 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 Americans in the Tribes and to administer programs and activities under this program; and

WHEREAS: The purpose of this sub award is to improve health outcomes for older adults by developing a healthcare workforce that maximizes patient and family engagement and by integrating geriatrics and primary care; and

WHEREAS: The goals of this program are 1) to educate and train the primary care and geriatrics workforce to care for older adults in integrated geriatrics and primary care models, and 2) to partner with community based programs to address gaps in healthcare for older adults, promote age-friendly health systems and dementia –friendly communities, and address the social determinants of health.

THEREFORE BE IT RESOLVED that the Ponca Tribal Council approves the subcontract with University of Nebraska Medical Center, Division of Geriatrics, Gerontology and Palliative Care for the time period of July 1, 2020 through June 30, 2024.

CERTIFICATION

THIS IS TO CERTIFY AND AFFIRM that the above and foregoing resolution was duly authorized and passed by the Tribal Council of the Ponca Tribe of Nebraska at a duly called meeting held in Lincoln, Nebraska on the \_\_\_\_ day of February , 2019 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 Schmidt, Secretary  
Ponca Tribe of Nebraska

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 01/25/2019

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Meeting of:  Tribal Council  
 Executive Committee

Meeting Date: 02/04/2019

Subject: Ponca Health Services Document Retention Schedule

ACTION REQUEST: (Please describe request in the form of a motion)  
Motion to approve Ponca Health Services Document Retention Schedule (set to match current IHS schedule).

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

Submitted By: Larry A Voegele

APPROVED

  
\_\_\_\_\_  
Chief Executive Officer