

TRIBAL COUNCIL  
AGENDA

JANUARY 9, 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. December 17, 2016
  - b. December 18, 2016
- IV. RATIFICATION OF ACTIONS
- V. JACOB OLSUFKA, DIRECTOR OF FINANCE
  - a. FY17 Indirect Cost Proposal – RESOLUTION
- VI. HILARY FARLEY, IT COMMITTEE
  - a. Projection Screens Omaha/Lincoln – MOTION
- VII. JONATHAN ROBINSON, HUMAN RESOURCE DIRECTOR
  - a. Employee Appreciation Budget – MOTION
- VIII. STEPHANIE POSPISIL, DIRECTOR OF SOCIAL SERVICES
  - a. Chafee Sub-award - RESOLUTION
  - b. Native Families for Native Children Year Three Memorandum of Agreement – MOTION
- IX. ELISE EMANUEL, GRANT MANAGER
  - a. OVW Justice for Families Grant Application – RESOLUTION
  - b. Together A Greater Good Enrollment – MOTION
- X. JESSIE HOVER, HEALTH PLANNER
  - a. Connecting Kids to Coverage Outreach & Enrollment Cooperative Agreements Grant – RESOLUTION
- XI. LARRY VOEGELE, CHIEF EXECUTIVE OFFICER
  - a. Kraus-Anderson Development Company Professional Services Agreement – MOTION
- XII. UNFINISHED BUSINESS
  - a. Clarification Regarding Additional District Funds - DISCUSSION
- XIII. NEW BUSINESS
  - a. Shakopee Grant Proposal – RESOLUTION (Chairman Wright)
  - b. Ponca Gaming Enterprise Board Vacancy/Chairperson positions – DISCUSSION/MOTION
  - c. Trading Holidays – UPDATE/MOTION (Tom Wright, EDTA)
  - d. Brad Jolly Legal Billing Statement – MOTION
  - e. Holland Knight Legal Billing Statement – MOTION
- XIV. PEGGY HARVEY, TRANSPORTATION PLANNER
  - a. Carter Lake Short Term Lease Agreement – MOTION
  - b. Carter Lake Parking Facility Civil Engineering Survey Services Agreement – MOTION
  - c. Ponca Member Transit Fares for Norfolk/Niobrara – MOTION
- XV. OTTO LAPOINTE, CEO - OSNI PONCA, LLC
  - a. Perfecta Media LLC Acquisition Analysis
  - b. Perfecta Media Business Plan
  - c. Snapshot Assessment of the Perfecta Media LLC proposal to Osni Ponca LLC
  - d. Motion to Approve Purchase
- XVI. OTHER BUSINESS
- XVII. EXECUTIVE SESSION
  - a. Melody Miodowski, Tribal Member
  - b. Evaluation Clarification
  - c. Elders Council – MOTION (Councilwoman Allen)
  - d. Education item Follow-up (Rhiannon Clausen, DDTA)
- XVIII. ADJOURN

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**AGENDA ITEM REQUEST**

DATE SUBMITTED: 1/4/2017

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: 1/9/17

Subject: FY17 IDC Proposal

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

Motion to approve FY17 IDC Proposal

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,  
email=jolsufka@poncatribe-ne.org, c=US  
Date: 2017.01.04 08:23:12 -06'00'

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 Indirect Cost Proposal for Fiscal Year 2017 was prepared by Jacob Olsufka, Director of Finance; and

WHEREAS: The Ponca Tribal Council reviewed the Indirect Cost Proposal. The proposed rate is 26.73%.

THEREFORE, BE IT RESOLVED that the Ponca Tribal Council of the Ponca Tribe of Nebraska approves the Fiscal Year 2017 Indirect Cost Rate Proposal at the rate of 26.73 percent to be submitted to the National Business Center Indirect Cost Section.

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 Omaha, Nebraska on the \_\_\_\_\_ day of January 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

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 12 / 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: 1 / 9 / 2017

Subject: Projection Screens Omaha/Lincoln

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

Motion to approve RFP for replacement Projection Screens for Lifesize for Omaha and Lincoln.

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

Submitted By: Hilary Farley

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

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

DATE SUBMITTED: 1/4/2017

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: 1/9/2017

Subject: Budget for Employee Appreciation

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

- Motion to approve the Budget for Employee Appreciation

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: December 22, 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: January 9, 2017

Subject: Chafee subaward

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

Motion to approve the Chafee subaward with the State of Nebraska from October 1, 2016 to September 30, 2017.

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

**\*\*Chafee subaward is attached\*\***

Submitted By: Stephanie Pospisil, Social Services Director

APPROVED *R. Clauson* DOTA 12.22.16  
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 shall exercise legislative powers to enact and promulgate resolutions and ordinances subject to all express restrictions upon such powers contained in constitution; and

**WHEREAS:** The State of Nebraska's Department of Health and Human Services awards sub-grants under the Federal Chafee program to Tribes for the purposes of assisting Native youth currently or previously under foster care arrangements to develop independent living skills; and

**WHEREAS:** The Ponca Tribe of Nebraska's Department of Social Services works to provide services for Native youth qualifying for the use of Chafee funds to promote independent living skills; and

**WHEREAS:** There are no match requirements for the contract, and

**WHEREAS:** The Tribal Council authorizes the Contract terms outlined by the Department of Health and Human Services.

**THEREFORE, BE IT RESOLVED THAT THE PONCA TRIBE OF NEBRASKA'S TRIBAL COUNCIL endorses and supports the contract terms and Tribal use of the allotted Chafee funds for the purposes outlined in the contract.**

CERTIFICATION

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

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 1/4/2017

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: 1/9/2017

Subject:   Approval of Year 3 Memorandum of Agreement for the Diligent Recruitment Grant  

ACTION REQUEST: (Please describe request in the form of a motion)  
  Motion to approve the Year 3 MOA for the Diligent Recruitment Grant which includes capping the IDC rate at 8% per the Winnebago Tribal Resolution.  

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

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

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



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

DATE SUBMITTED: 12/30/2016

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: 01/09/2017

Subject: OVW Justice for Families grant application - Resolution

ACTION REQUEST: (Please describe request in the form of a motion)  
Resolution to support an application for funding through OVW's Justice for Families program.

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

Submitted By: Elise Emanuel

APPROVED: Elise Emanuel  
Grant Manager

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 under this program; and

WHEREAS: The Office on Violence Against Women's Justice For Families Program is designed to support activities for improving the Tribe's capacity to respond to families impacted by domestic violence, dating violence, sexual assault, and/or stalking;

WHEREAS: The activities proposed under Purpose Areas Five (5), Six (6), and Eight (8) will improve the Tribe's capacity to respond to families impacted by domestic violence, dating violence, sexual assault, and/or stalking;

THEREFORE, BE IT RESOLVED that the Grant Manager, Elise Emanuel, is approved to submit the application for funding administered by the Department of Justice's Office on Violence Against Women 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 January, 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: 1/3/2017

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

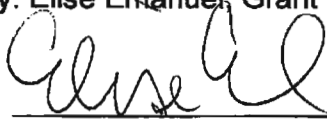
Meeting Date: 1/9/2017

Subject: Together A Greater Good (TAGG) enrollment to support Circle of Elders activities in Omaha and Lincoln - MOTION

ACTION REQUEST: (Please describe request in the form of a motion)  
Approval to participate in TAGG, a web-based tool used to drive donations. Participating businesses are located in Omaha and Lincoln.

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

Submitted By: Elise Emanuel, Grant Manager

APPROVED   
Grant Manager

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

DATE SUBMITTED: 12/30/ 2016

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Meeting of:  Tribal Council  
 Executive Committee

Meeting Date: 1/9/2017

Subject: Connecting Kids to Coverage Outreach and Enrollment Cooperative Agreements Grant

**ACTION REQUEST:**

Resolution to support application for the U.S. Department of Health and Human Services Centers for Medicare & Medicaid Services/ Center for Medicaid & CHIP Services funding opportunity: Connecting Kids to Coverage (Previously obtained and known as CHIPRA).

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   
CEO Health Services

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 under this program; and

WHEREAS: The Connecting Kids to Coverage Outreach and Enrollment Cooperative Agreements grant program is designed to increase the enrollment of American Indian children and their families who are eligible for Medicaid and the Children’s Health Insurance Program (CHIP), improve retention of the those who are currently enrolled and help families understand new application procedures and health coverage opportunities in Medicaid and CHIP.

THEREFORE, BE IT RESOLVED that the Tribal Health Planner, Jessie Hover, is approved to submit the application for funding administered by the U.S. Department of Health and Human Services Centers for Medicare & Medicaid Services and Center for Medicaid & CHIP Services 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 January, 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

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

DATE SUBMITTED: 12/30/2016

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Meeting of:  Tribal Council  
 Executive Committee

Meeting Date: 01/09/2017

Subject: Joint Venture Program – Planning Phase Contractor

ACTION REQUEST: (Please describe request in the form of a motion)  
Motion to approve planning phase contract required under Shakopee Grant.

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

Submitted By: Larry Voegele

APPROVED   
Chief Executive Officer

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 Tribe is requesting financial support from the Shakopee Mdewakanton Sioux Community in the total amount of \$500,000; and

WHEREAS: This funding is necessary to complete the preconstruction phase for property located at 8600 Sorensen Parkway in Omaha, Nebraska which has been identified as a possible site for the Indian Health Service Joint Venture Construction Program Project; and

WHEREAS: Preconstruction services are being provided by DSGW Architects.

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

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 January 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\*\*\*Revised**  
(for employees only)

DATE SUBMITTED:   1   / 03 / 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:   X   Tribal Council  
           Executive Committee

Meeting Date:   1   /   9   / 2017

Subject:   Carter Lake Short term lease agreement  

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

   Request motion to grant permission to Lund to extend the term limit of the renewal of the lease agreement for Omaha Airplane supply (tenant) to 18 months with a 90 days terminable notice.

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

Submitted By:   Peggy Harvey   *Peggy S. Harvey*

APPROVED *[Signature]*  
Executive Director of Tribal Affairs



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**AGENDA ITEM REQUEST\*\*\***

(for employees only)

DATE SUBMITTED: 01 / 03 / 16

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: 01 / 09 / 2017

Subject: Carter Lake Parking Facility civil engineering survey services agreement

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

Request motion to enter in to agreement with HGM Associates Inc to provide to provide surveying and easement services for the Carter Lake Parking facilities property.

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

Submitted By:  Peggy Harvey  *Peggy Harvey*

APPROVED  *[Signature]*   
Executive Director of Tribal Affairs

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

DATE SUBMITTED:   1   / 03 / 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:   X   Tribal Council  
           Executive Committee

Meeting Date:   1   / 09 / 2017

Subject:    Discussion about supplementing Ponca member transit fares for Norfolk and Niobrara areas.           

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

   Request motion to pay for Ponca member transit fares out of General fund

Or

Request motion to approve charging no fares for everyone.

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

Submitted By:    Peggy Harvey *Peggy Harvey*

APPROVED *[Signature]*  
Executive Director of Tribal Affairs