

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL  
AGENDA

DECEMBER 19, 2023  
4:00 PM  
LOCAL OFFICE SITES/LIFESIZE

- I. CALL TO ORDER
  - a. Invocation
  - b. Roll Call
- II. APPROVAL OF AGENDA
- III. CONSENT CALENDAR
  - a. December 12, 2023 Minutes
  - b. December 16, 2023 Minutes
  - c. Infinite Technologies RFP for Off-Site Cloud Storage Renewal
  - d. Renewal of Chafee Agreement with HHS – RESOLUTION
  - e. ThoughtFarmer RFP Annual Renewal
  - f. InterTribal Buffalo Council FY2022 Special Appropriation Project Herd Development Grant - RESOLUTION
  - g. Penny Lingle, Interim CEO Ponca Health Services October 2023 Monthly Report
  - h. David Threm, CIO October 2023 Monthly Report
  - i. Patrick Jennings, CEO Tribal Affairs October 2023 Monthly Report
  - j. Jonathan Robinson, HR Director November 2023 Monthly Report
  - k. Ratifications
- IV. PATRICK JENNINGS, CEO TRIBAL AFFAIRS
  - a. Change Order – Unsuitable Soil, Fee Land Phase I Construction (Courtney Chavez, DDTA/Eli Carpenter, Connect Advisors)
  - b. Husker Hardwood Floors RFP
  - c. U.S. Department of Homeland Security-Tribal Cybersecurity Grant Program (TCGP) RESOLUTION
- V. JONATHAN ROBINSON, HUMAN RESOURCES DIRECTOR
  - a. Reasonable Accommodation Policy
  - b. Maintenance Mechanic Job Description Revised to Maintenance Worker
- VI. PENNY LINGLE, INTERIM CEO – PONCA HEALTH SERVICES
  - a. EPP Foundation Repair RFP
  - b. Edwards Hyundai RFP for Vehicle Purchase for Behavioral Health Lincoln Office
  - c. DHHS SAMHSA Native Connections Grant – RESOLUTION
- VII. OTHER BUSINESS
- VIII. EXECUTIVE SESSION
  - a. Purchasing Update (Greg Gunderson, CFO)
- IX. ADJOURN



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

DATE SUBMITTED: December 11, 2023

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: December 19, 2023

Subject: Approval of Chafee agreement with HHS


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

Motion to approve the Chafee agreement with the Nebraska Department of Health and Human Services in the amount of \$10,000 for FY24.

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

Submitted By: Stephanie Pospisil, Social Services Director

APPROVED

  
\_\_\_\_\_  
CEO of Tribal Affairs

12/11/23

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 23-\_\_\_\_\_

**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 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 on the 19<sup>th</sup> day of December 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of \_\_\_\_Ayes; \_\_\_\_Nays; \_\_\_\_Abstained; \_\_\_\_Absent. Chairperson \_\_\_\_voting \_\_\_\_not voting. A Quorum of \_\_\_\_ was present.

ATTEST

\_\_\_\_\_  
Candace Schmidt, Chairwoman  
Ponca Tribe of Nebraska

\_\_\_\_\_  
Susan Baker, Secretary  
Ponca Tribe of Nebraska

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

DATE SUBMITTED: 12/12/23

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: 12 / 19/ 23

Subject: Annual ThoughtFarmer Invoice

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

Motion to approve invoice for yearly subscription to the ThoughtFarmer intranet service  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Submitted By: Jessica Hitchcock, Tribal Communications Director

APPROVED  12/13/23  
Executive Management

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

DATE SUBMITTED: 12/4/2023

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: 12/19/2023


Subject: InterTribal Buffalo Council FY2022 Special Appropriation Project Herd Development Grant.

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

Motion to approve applying for the InterTribal Buffalo Council FY2022 Special Appropriation Project Herd Development Grant. Special note: Tribal Council will need to cover the cost of IDC in the amount of \$1,628.10, since the ITBC grant does not cover IDC

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

Submitted By:   
Stephanie Geery-Zink, Grants Director

APPROVED  12/8/23  
Executive Management

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 23-\_\_\_\_\_

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 Tribe is a member of the InterTribal Buffalo Council in good standing; and

WHEREAS: The Tribe agrees to continue its support of the Buffalo Herd Development Program through in-kind contributions and financial assistance in perpetuity; and

WHEREAS: The InterTribal Buffalo Council FY2022 Special Appropriation Project Herd Development Grant will allow the Tribe to maintain and expand its herd, as well as develop health initiatives and cultural activities pertaining to buffalo that will lead to long-term sustainability of the program.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Grants Director, is authorized to submit the application for FY22 special funding administered by the InterTribal Buffalo Council (ITBC) on behalf of the Ponca Tribe of Nebraska.

BE IT FURTHER RESOLVED that the Ponca Tribe of Nebraska Grants Manager, is hereby authorized to sign all required forms on behalf of the Ponca Tribe of Nebraska as an Authorized Official pursuant to ITBC requirements.

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 12<sup>th</sup> day of December 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of \_\_\_\_Ayes; \_\_\_\_Nays; \_\_\_\_Abstained; \_\_\_\_Absent. Chairperson \_\_\_\_ voting \_\_\_\_ not voting. A Quorum of \_\_\_\_ was present.

ATTEST

\_\_\_\_\_  
Candace Schmidt, Chairwoman  
Ponca Tribe of Nebraska

\_\_\_\_\_  
Susan Baker, Secretary  
Ponca Tribe of Nebraska

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

DATE SUBMITTED: 12 / 13 / 23

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 12 / 19 / 23

Regular Session  Executive Session \_\_\_\_\_

Subject: Change Order – Unsuitable Soil, Fee Land Phase II Construction

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

Discussion Update regarding change order on fee land portion of Phase II construction at Prairie Flower Casino. Change order is for charges incurred as a result of unsuitable soil discovered during earthwork at construction site.

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

Submitted By: Courtney R. Chavez  
Digitally signed by Courtney R. Chavez  
Date: 2023.12.13 08:02:57 -06'00'

APPROVED Courtney R. Chavez  
Digitally signed by Courtney R. Chavez  
Date: 2023.12.13 08:02:53 -06'00'  
**Executive Management**

Who will be present at the TC Mtg. in regards to this Agenda Item? Courtney Chavez, Eli Carpenter \_\_\_\_\_



**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 12/13/2023

All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.

Tribal Council Meeting Date: 12/19/2023

Regular Session  Executive Session \_\_\_\_\_

Subject: Motion to approve Husker Hardwood Floors for Ralston floor repair.

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

Motion to approve \$14,725.34 for Husker Hardwood Floors to repair the Ralston board room floor due to water damage. This repair will be covered by insurance and the tribe will receive a reimbursement. Crawford claim valued the replacement at \$19,115.83, less deductible will be a reimbursement of \$14,115.83.

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

Submitted By: Courtney R. Chavez Digitally signed by Courtney R. Chavez  
Date: 2023.12.13 08:51:05 -06'00'

APPROVED Courtney R. Chavez Digitally signed by Courtney R. Chavez  
Date: 2023.12.13 08:51:17 -06'00'  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Courtney Chavez \_\_\_\_\_

Revised 1/24/23.

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 12/04/2023

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: 12/19/2023Subject: U.S. Department of Homeland Security-Tribal Cybersecurity Grant Program (TCGP)

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

Motion to approve applying for the U.S. Department of Homeland Security-Tribal Cybersecurity Grant Program (TCGP). Special note: due to Homeland Security covering only 5% of the administrative costs, the general fund will need to cover the remainder of the IDC as noted on the pink sheet (\$178,205.12).

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

Submitted By:   
 Stephanie Geery-Zink, Grants Director

APPROVED  12/8/23  
 Executive Management

PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 23-\_\_\_\_\_

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 U.S. Department of Homeland Security secures the nation's air, land, and sea borders to prevent illegal activity while facilitating lawful travel and trade; and

WHEREAS: The U.S. Department of Homeland Security Tribal Homeland Security Grant Program's focus is to assist tribal governments with managing and reducing systemic cyber risk. Accomplishment of this goal can be achieved by implementing a Cybersecurity Plan, priorities, projects and addressing Tribal Homeland Security Grant Program objectives.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Grants Director, is authorized to apply for, execute and file with its applications the annual certifications and assurances and other documents the U.S. Department of Homeland Security requires when awarding grant funding.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Grants Director, is authorized to execute and cooperative agreements with the U.S. Department of Homeland Security 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 December 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of \_\_\_\_\_ Ayes; \_\_\_\_\_ Nays; \_\_\_\_\_ Abstained; \_\_\_\_\_ Absent. Chairperson \_\_\_\_\_ voting \_\_\_\_\_ not voting. A Quorum of \_\_\_\_\_ was present.

ATTEST

\_\_\_\_\_  
Candace Schmidt, Chairwoman  
Ponca Tribe of Nebraska

\_\_\_\_\_  
Susan Baker, Secretary  
Ponca Tribe of Nebraska

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

DATE SUBMITTED: 12/6/23

**All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.**

Tribal Council Meeting Date: 12/12/23

Regular Session  Executive Session

Subject: Reasonable Accommodation Policy (Revised)

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

- **Motion to approve the Reasonable Accommodation Policy (NEW)**

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

  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Jonathan Robinson

Revised 1/24/23

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

DATE SUBMITTED: 12/12/23

**All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.**

Tribal Council Meeting Date: 12/19/23

Regular Session  Executive Session

Subject: Maintenance Worker Job Description (Revised)

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

- **Motion to approve the Maintenance Worker Job Description (Revised)**

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

  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Jonathan Robinson, Courtney Chavez

Revised 1/24/23

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 12 / 06 / 23

**All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.**

Tribal Council Meeting Date: 12 / 20 / 23Regular Session  Executive Session Subject: North Wall Structural Repair (Norfolk Gymnasium building)

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

Requesting motion to approve the bid submitted by EPP Foundation Repair in the amount of \$15,643.40 (includes Tribal Tax) for the repair to the north wall located in the Norfolk gymnasium building. EPP Foundation Repair requires a down payment of \$2,924 leaving a balance due \$12,719.40.

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

Submitted By: Penny Lingle

APPROVED Penny M Lingle  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Penny Lingle, Jim Wright

Revised 1/24/23

**AGENDA ITEM REQUEST**

(for employees only)

DATE SUBMITTED: 12/5/23

**All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.**

Tribal Council Meeting Date: 12/12/23

Regular Session  Executive Session 

Subject: Behavioral Health is requesting to purchase a vehicle for the Lincoln office from Edwards Hyundai in the amount of \$23,690. Quotes were received from Beardmore (\$23,974), Sid Dillon (\$23,245), and Edwards (\$23,690). The bid from Edwards is chosen although it is not the lowest bid. The reason behind this decision is that the only color option currently at Sid Dillon is a Candy Apple Green, which we feel is too bright. Therefore, we have chosen to utilize Edwards Hyundai for this purchase. The funding for this vehicle is approved through #639; the SAMHSA MAT-PDOA grant, with approved funding up to \$25,000.

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

Behavioral Health is requesting a motion to approve the purchase of a Vehicle for the Behavioral Health Lincoln Office from Edwards Hyundai in the amount of \$23,690.

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

Submitted By: LuAnne M. Even, Psy.D.

APPROVED *Penny M. Hunge*  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? LuAnne Even, Psy.D.

Revised 1/24/23

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

DATE SUBMITTED: 12/5/23

**All Agenda Item Requests must be approved and submitted with all supporting documents to Jan Colwell, Executive Assistant to Tribal Council by 10 AM the Wednesday prior to the Tuesday Council Meeting.**

Tribal Council Meeting Date: 12/12/23

Regular Session  Executive Session

Subject: Submission of DHHS SAMHSA Native Connections Grant

ACTION REQUEST: (Please describe request in the form of a motion)  
Behavioral Health is requesting a motion to approve the application submission for the Native Connections grant which aims to prevent and reduce suicidal behavior among American Indian/Alaskan Native youth within our Service Delivery Area.

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

Submitted By: LuAnne M. Even, Psy.D.

APPROVED Perry M. Hungab  
Executive Management

Who will be present at the TC Mtg. in regards to this Agenda Item? Dr. Even

Revised 1/24/23



PONCA TRIBE OF NEBRASKA  
TRIBAL COUNCIL

RESOLUTION 23-\_\_\_\_\_

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 approval of the DHHS SAMHSA Tribal Behavioral Health “Native Connections” grant application, in the amount of \$250,000, be submitted. Native Connections aims to prevent and reduce suicidal behavior among our Native youth and will provide support for BH in this regard.

THEREFORE, BE IT RESOLVED that the Ponca Tribe of Nebraska Chief Behavioral Health Officer is approved to submit the application for funding administered by the Administration for Community Living (ACL)/Administration on Aging (AoA) 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 December 2023, at a duly called meeting held via Lifesize Videoconference, by a vote of \_\_\_\_\_ Ayes; \_\_\_\_\_ Nays; \_\_\_\_\_ Abstained; \_\_\_\_\_ Absent. Chairperson \_\_\_\_\_ voting \_\_\_\_\_ not voting. A Quorum of \_\_\_\_\_ was present.

ATTEST

\_\_\_\_\_  
Candace Schmidt, Chairwoman  
Ponca Tribe of Nebraska

\_\_\_\_\_  
Susie Baker, Secretary  
Ponca Tribe of Nebraska