

*Approved March 15, 2024*

**Nebraska Commission for the Deaf and Hard of  
Hearing Full Commission Board Meeting  
Held at – 4600 Valley Rd, Room 4A, Lincoln NE 68510-4844  
January 5, 2024 Meeting Minutes**

**A. Welcome**

Chairperson Frances Beurivage called the meeting to order for the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) Full Commission Board on January 5, 2024, at 10:03 a.m. at 4600 Valley Rd, Room 4A, Lincoln NE. Chairperson Frances Beurivage noted the purpose of the special meeting was to discuss plans for moving forward after receipt of NCDHH Executive Director Ms. Arlene Garcia Gunderson's resignation communicated via e-mail message on December 22, 2023, at 1:50 p.m.

**B. Notice of Open Meeting**

Chairperson Frances Beurivage announced that the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. Publication of official notice of the meeting appeared in the December 29, 2023, edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act. The agenda was kept current in the Nebraska Commission for the Deaf and Hard of Hearing's office and on the NCDHH website. The materials generally used by the board for the meeting today are on a table in a public folder available to the general public for the purpose of this meeting in accordance with the Open Meetings Act {Neb. Rev. Stat. §84-1412 (8)}. A copy of the Open Meetings Act is available for the duration of the meeting.

**C. Roll Call**

For the record, board members Ms. Candice Arteaga, Ms. Frances Beurivage, Ms. Brooke Fitzpatrick, Ms. Valerie "Vali" Hitz, Mr. Jonathan Scherling, Ms. Diane Schutt, Ms. Sandra Shaw and Ms. Peggy Williams were all present for roll call. NCDHH staff members present were Ms. Kelsey Cruz, Marketing & Communications Specialist, Ms. Kim Davis, Advocacy Specialist and Ms. Sharon Sinkler, Interpreter Program Coordinator. Sign Language Interpreters present were Ms. Meghann Cassidy and Mr. Ben Sparks. Inclusive Communication Access Nebraska provided Communication Access Realtime Translation (CART) services.

Ms. Elise Wiedenfeld, HR Business Partner II and Mr. Jonathan Arteaga were in the audience.

#### **D. Acceptance of Agenda**

Ms. Arteaga moved to accept the agenda as presented with adding New Business for item G, changing adjournment to item H. Ms. Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.

#### **E. Chairperson of the Board - Report**

##### **1. Executive Director Search**

Chairperson Beaurivage started the discussion with a summary of the board's previous Executive Director search. Chairperson Beaurivage added advertising was submitted to several publications to attract the Deaf community, and the search was reopened a few times to include additional applications. The number of applications received was relatively small. Chairperson Beaurivage suggested we need to address the issue of salary for the Executive Director position to attract more highly qualified applicants. Ms. Elise Wiedenfeld, HR Business Partner II, shared with the board that the previous Executive Director's salary was \$79,000 which equated to \$38 an hour, adding the board has full discretion of the salary as long as it works with the agency budget.

Discussion ensued regarding conducting research on Executive Director salary amounts in similar agencies.

Chairperson Beaurivage asked about advertising for the Executive Director position. Conversation ensued between members on possible advertising options for the Executive Director search. Members mentioned Gallaudet, various Facebook pages, LinkedIn and Indeed. Mr. Scherling suggested utilizing Innivee Strategies, which is a consulting firm. Mr. Scherling agreed to do some research and determine related costs involved with using Innivee Strategies. Ms. Cruz added there is a National Deaf Center listserv that goes out to thousands of Deaf and hard of hearing individuals. Ms. Cruz also added the previous Executive Director mentioned she first saw the job opening on the Facebook group Deaf Job Seeker. Ms. Williams also added we need to include Hearing Loss Association of America (HLAA) so that we are including the hard of hearing in the job search.

Ms. Arteaga asked if the board would finalize the Executive Director position at another board meeting. Chairperson Beaurivage commented she can obtain the information from Ms. Wiedenfeld on writing up the new job description.

Chairperson Beurivage said she will send out to the members for their review. Once that process has been completed, Chairperson Beurivage will submit the final to Ms. Wiedenfeld to proceed with posting the position.

Discussion ensued regarding various items related to the Executive Director search. One topic focused on the salary amount the board can offer and still remain within the agency budget. In addition, NCDHH staff will be conducting research on the salary amounts for other Deaf and Hard of Hearing Agency Directors in various states. Mr. Scherling added we should look at Kansas because Nebraska is similar in terms of cost of living.

Discussion ensued between the members on the timeline to hire a new Executive Director. Ms. Wiedenfeld added she thinks we should post the job announcement as soon as possible, noting a potential issue if the proposed salary does not fit within the agency's current budget. Ms. Wiedenfeld advised if the proposed salary does not fit within the agency's current budget, Ms. Jackie Novak, Business and Finance Manager, must submit a mid-biennium request to ensure the agency has appropriate funds available.

Ms. Fitzpatrick asked Ms. Wiedenfeld if the state does a background and reference check on new applicants. Ms. Wiedenfeld explained once the board has a successful candidate to offer the position, the state then conducts a background check on the applicant with employment being contingent upon successful completion of the background check. Ms. Wiedenfeld noted background checks are not run on every applicant. Conversation ensued between members on reference checks for potential applicants. Ms. Wiedenfeld shared typically reference checks are not completed unless the applicant is moving from another State Agency. Discussion ensued between Ms. Wiedenfeld and the board members on the reference checks process and the type of questions that can be asked to the applicant's employer. Ms. Wiedenfeld noted the only question the State may ask is if they would employ them again. Performance cannot be discussed. Ms. Wiedenfeld also noted if the employer divulges information, they can listen but cannot ask for specifics. The reference checks would need to be completed by HR. Ms. Wiedenfeld noted it is permissible to do social media searches on the potential applicants.

## 2. **Molly McEvoy**

Ms. Kim Davis, Advocacy Specialist shared with the members that Ms. McEvoy started on January 4, 2024. Ms. McEvoy is a current student at RIT in New York, and she will be graduating this spring with her bachelor's degree in psychology. Ms. Davis noted Ms. McEvoy plans to go on and obtain her master's degree in education.

Chairperson Beurivage shared a recap of her correspondence with Ms. McEvoy in completing her internship at NCDHH. Chairperson thanked Ms. Davis for her assistance in welcoming Ms. McEvoy to the agency. The Board requested to have Ms. McEvoy present at the March 8, 2024, board meeting to summarize her NCDHH activities.

### **3. Selection of Interim Director**

Chairperson Beurivage shared with the Board she asked Ms. Wiedenfeld if the agency is required to have an Interim Director. Ms. Wiedenfeld responded an Interim Director is not required and the current management team consisting of Ms. Cruz, Ms. Davis and Ms. Sinkler could serve in that capacity.

Discussion ensued between the members on whether to select an Interim Director or not. Members also discussed was the issue of approving timecards for the three management team members.

Agreement was made between the board members the current management team will oversee the day to day activities of the agency instead of an Interim Director.

### **4. Behavioral Health Coordinator Search and Updates**

Ms. Wiedenfeld was asked for an update on the Behavioral Health Coordinator position. Ms. Wiedenfeld responded the position is posted for hire and closes on January 15, 2024. HR will screen the applications and send the agency the applications meeting the minimum qualifications for the position. Ms. Williams and Ms. Fitzpatrick will be involved in the interview process for the Behavioral Health Coordinator position.

### **5. Relationships / Communication with our Stakeholders**

Chairperson Beurivage indicated the board must discuss communication with stakeholders in terms of where the agency is now and how it intends to move forward. Chairperson Beurivage asked if the agency should formally communicate to our stakeholders informing them the agency is in a transition period.

Discussion ensued between the members on what communication needs to occur with NCDHH stakeholders. Board members decided a vlog would communicate with our stakeholders and assure them NCDHH is moving forward.

### **6. Legislative Updates**

Ms. Williams shared with the members NCDHH is in communication with Senator Wishart to discuss LB248 which currently allows one phone per household and changing the legislation to two phones per household. Senator Wishart was in full support as long as the Public Service Commission (PSC) was also in agreement.

Ms. Cruz shared the initial meeting took place this past September with Senator Wishart. Ms. Cruz communicated to the board at this meeting with Senator Wishart the main points of the original LB were discussed and the need to amend it from one person per household to two person per household, in addition to applying every three years instead of every five years due to frequent changes in technology. Ms. Cruz also shared shortly after this meeting, NCDHH met with PSC legal department to determine their support. PSC responded the requested changes would not be an issue. Ms. Cruz also shared the PSC would like to see some verbiage changes to the type of equipment recipients can request. Ms. Williams added we will need to have someone from NCDHH testify in support of the changes being requested for this bill as typically this is done by the Executive Director.

Ms. Cruz shared with the members on January 17, 2024, from 8 a.m. to 3 p.m. NCDHH will be hosting a Capitol Day. The goal is to invite lawmakers, legislators, and staff to stop by and learn more about NCDHH. All members agreed it will be beneficial for the lawmakers to see a presence of the Deaf and hard of hearing communities.

## **7. Closed Session**

Ms. Arteaga made the motion to go into closed session at 11:19 a.m. Ms. Hitz seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.

Ms. Hitz made the motion to go into open session at 11:39 a.m. Ms. Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.

## **F. Next Meeting Dates**

- March 8, 2024
- June 15, 2024
- September 13, 2024
- December 13, 2024

## **G. New Business**

Ms. Williams shared she asked the executive committee to bring in a professional to meet with the staff about transition and moving forward and experiences during the previous Executive Directors tenure with NCDHH. Ms. Williams has arranged for Dr. Jim Haley to meet with the staff on January 30, 2024, from 9 a.m. – 12 p.m.

Ms. Sinkler shared with the Board Members she has decided to withdraw her resignation. All members applauded in favor of Ms. Sinkler decision to stay employed with NCDHH. Ms. Sinkler added she would like to work 30 hours a week, instead of her previous 35 hour work week.

Ms. Arteaga made to motion to approve Ms. Sharon Sinkler’s request to work 30 hours a week, effective immediately. Mr. Scherling seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.

#### **H. Adjourn**

Ms. Williams moved to adjourn the meeting at 11:46 a.m. Ms. Arteaga seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Ms. Beaurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw and Ms. Williams all voting aye.