

Approved March 10, 2023

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Board Meeting
4600 Valley Rd, Room 4A, Lincoln NE**

December 9, 2022 Meeting Minutes

A. Opening

Chairperson Candice Arteaga called the meeting to order for the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) Full Commission Board on December 9, 2022 at 8:32 a.m. at 4600 Valley Rd, Room 4A, Lincoln Nebraska.

B. Notice of Open Meeting

Chairperson Candice Arteaga 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 2, 2022, 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 that is 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, Mr. Robert Feit, Ms. Brooke Fitzpatrick, Mr. Jonathan Scherling, Ms. Diane Schutt, Ms. Sandra Shaw and Ms. Peggy Williams were all present for roll call. Ms. Valerie "Vali" Hitz was absent. NCDHH staff members present were Ms. Kelsey Cruz, Interim Executive Director & Public Information Officer; Ms. Sharon Sinkler, Interpreter Program Coordinator. Sign Language Interpreters present were Ms. Amber Tucker and Mr. Ben Sparks. Ms. Margaret "Mydge" Heaney with Inclusive Communication Access Nebraska provided CART services.

D. Review of Agenda

Interim Director Kelsey Cruz reviewed the agenda with the Board Members.

E. Acceptance of Agenda

Mr. Robert Feit moved to accept the agenda as written and presented. Ms. Peggy Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Hitz was absent.

F. Acceptance of Minutes

Ms. Peggy Williams noted a correction on page 2, second paragraph Kathy Scusa, has been with the Commission for seven and a half years, not the board.

Mr. Robert Feit moved to accept the September 9, 2022 meeting minutes with the change noted by Ms. Peggy Williams. Ms. Diane Schutt seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Hitz was absent.

G. Chairperson of the Board Report

Chairperson Candice Arteaga shared that the Executive Director John Wyvill resigned. They are currently reviewing the Commission’s structure, with appointing Ms. Kelsey Cruz as the Interim Executive Director. Adding that Ms. Cruz is doing a fantastic job. The search is continuing for a new Executive Director, the posting of the job is still available and open.

Ms. Peggy Williams added that Chairperson Candice Arteaga has done a phenomenal job stepping up to the plate and working with the staff, coming into the office to make sure all is running smoothly. In addition, Interim Executive Director Kelsey Cruz has done a phenomenal job. As a board member, Ms. Williams appreciates everything Ms. Cruz has done in this role. Congratulations on a job well done. Applause by all.

Chairperson Candice Arteaga shared with the group that Mr. John Jelkin, Assistant Attorney General was in attendance to assist the Board Members during the closed session.

1. Public Comments

No public comments.

2. Personnel Discussion (Closed Session)

Mr. Jonathan Scherling made the motion to go into closed session. Ms. Brooke Fitzpatrick seconded the motion. Going into closed session at 8:41 a.m. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Hitz was absent.

Chairperson Arteaga added that she has asked Ms. Sharon Sinkler, Interpreter Program Coordinator and Interim Executive Director Kelsey Cruz to stay for discussion of the Interpreter Review Board (IRB).

Chairperson Arteaga welcomed Mr. John Jelkin to the board meeting.

Mr. Robert Feit asked for clarification if it was said why the board was going into closed session. Ms. Frances Beurivage replied with discussing personnel issues.

Mr. Jelkin offered suggestions on why a Board would go into closed session. There are basically two reasons for going into closed session:

- For the general good of the public or general benefit of the public. An example would be if you are negotiating a sale of real estate or something similar. This is sensitive and discussions should remain in closed session to be effective.
- If the conversation would potentially cause damage to someone’s reputation needlessly.

Mr. Robert Feit made the motion to go into open session at 8:45 a.m. Ms. Peggy Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Hitz was absent.

Mr. Robert Feit made the motion to go into closed session at 8:47 a.m. for the good of the general public and to avoid needlessly damaging someone’s reputation. Ms. Brooke Fitzpatrick seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Hitz was absent.

Ms. Valerie “Vali” Hitz joined the meeting at 8:51 a.m.

The proceedings were captioned by not transcribed herein.

Back into open session at 10:06 a.m.

Mr. Robert Feit made a motion to amend the agenda to add item G.2.a. for Public Comments so that the Board can discuss a matter. Ms. Brooke Fitzpatrick seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

a. Public Comments

Mr. Nathan White, with Omaha Association for the Deaf (OAD), came to speak to the Board Members with a petition being presented regarding the Nebraska Specialized Telecommunications Equipment Program (NSTEP). There are two issues the community is asking the Board Members to review and evaluate to improve the program. The first issue is the one phone per household. There are many households that have more than one deaf person. The second issue relates to individuals being able to apply once every three years instead of five years. Mr. White noted technology quickly changes and a three-year timeline would provide the community to possess more updated features and technology.

Chairperson Candice Arteaga shared the OAD has six pages of signatures, outlining having one per household changed to two; the five-year limit revised to three years.

Mr. Robert Feit added that when this was brought to the Telecommunication Relay Service (TRS) Advisory Committee last year regarding the two phones per household. The Public Service Commission (PSC) didn’t believe they could get a Senator to carry

the bill to make the needed changes. Ms. Peggy Williams asked if the TRS Advisory Committee was in support of this proposed change. Mr. Feit replied that two members of the TRS Advisory Committee thought it was an excellent idea, and the others didn't say anything. It all comes down to not having a Senator willing carry the bill.

Conversation between the Board Members ensued regarding their support of this change to NSTEP.

Mr. Robert Feit agreed to take the petition to the TRS Advisory Committee at their next meeting which is the second Tuesday in January. Mr. Feit requested that the staff create a resolution to this proposal from what Mr. White presented to the Board today.

Conversation from the members on how NSTEP is funded.

Mr. Jonathan Scherling thanked Mr. Nathan White for coming to the meeting and representing the community. Mr. Scherling also suggested that the Board take up this topic at Deaf Day at the Capital and Deaf Awareness Week at the Capital.

Chairperson Candice Arteaga thanked Mr. White for coming and that the Board would take this to the TRS Advisory Committee.

Ms. Diane Schutt made the motion to direct the staff to create a document to send to Senators in relation to the petition that was presented by Mr. Nathan White. Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

Conversation of coming out of closed session ensued and a statement is needed.

Mr. Robert Feit added that no action was taken from what was discussed in closed session. Ms. Sandra Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

3. Interpreter Review Board (IRB) Recap

Chairperson Candice Arteaga asked Ms. Sharon Sinkler, Interpreter Program Coordinator, if she wanted to share anything from the IRB meeting that was held on December 1, 2022.

Chairperson Arteaga stated that she attended the IRB meeting. There was a lot of discussion regarding the sign language interpreter shortage, but there were no complaints brought up during the meeting. Adding that Ms. Vali Hitz was in attendance as a member from the community, not as a board member. Chairperson Arteaga asked Ms. Hitz if she wanted to add any comments.

Ms. Hitz shared that she attended the IRB meeting on December 1, 2022 as a member of the public. Ms. Hitz asked the IRB to share information with deaf organizations regarding the IRB's purpose. Chairperson Arteaga suggested sharing information during their meetings to remind their members to reach out to the IRB if they have an issue with an interpreter. Ms. Hitz agreed that would help enhance awareness as to what the IRB is and what it does.

Ms. Peggy Williams added for clarification that the IRB was created from the rules and regulations established for interpreter licensure. The IRB was designed to review complaints about interpreters with the complaints reported to the interpreter program coordinator. The Commission works with an outside investigator, involving a neutral person to the investigation. Then the interpreter program coordinator reviews everything and refers to the IRB. The IRB then reviews the complaint at their next meeting to determine their recommendations. After the IRB completes their part, the complaint then goes to the full board with the IRB's recommendations. Ms. Williams ended with if there are no interpreter complaints, the IRB conducts their meeting. At times, the IRB has had two or three complaints to review in one meeting.

Ms. Vali Hitz shared that Ms. Sharon Sinkler explained the process of the IRB to her. Ms. Hitz asked if the community is aware of the IRB and its responsibilities. Ms. Hitz reiterated that she is trying to enhance awareness of the IRB to the community, adding that the IRB needs to be proactive about reaching out to the community instead of waiting for the community to come to them.

Ms. Frances Beurivage agreed that she thinks the deaf community needs more information about the IRB's role and function. It was suggested developing a brochure that explains the IRB would be beneficial to the deaf community, in addition to outline how to file a complaint if needed.

Interim Executive Director, Kelsey Cruz, added that the Commission could create a one-page document outlining the IRB and its function and how to file a complaint to raise awareness.

4. Meeting dates for 2023

Chairperson Candice Arteaga referred the members to section G.4. on the agenda and in their binders. Chairperson Arteaga asked if there were any objections or concerns with the outlined dates.

There was conversation between the members regarding the date of the out-of-town meeting. Chairperson Arteaga informed the members this meeting is normally held in September, but she added to put the discussion on hold until the new Executive Director is hired to determine the location of the meetings in 2023.

Suggested dates for 2023:

- March 10, 2023

- June 9, 2023
- September 8, 2023
- December 8, 2023

Ms. Vali Hitz made the motion to accept the dates of March 10, 2023; June 9, 2023; September 8, 2023; and December 8, 2023 for the full board meeting dates in 2023. Ms. Peggy Williams seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

5. **Election of Board Officers**

Chairperson Candice Arteaga asked Mr. Robert Feit if he was going to stay on for another term. Mr. Feit replied that he has reapplied for the position.

Chairperson Arteaga shared that she will stay on until January 31, 2023, or until a replacement is found.

Ms. Peggy Williams referenced page 15 in the G.5. document that is in the binders. This shows the responsibilities of the chairperson, vice chairperson, and secretary positions.

Ms. Vali Hitz asked for clarification on what positions they are going to be voting on, just the chairperson, or all three of the positions. Also, Ms. Hitz asked if the election of the executive committee is done yearly. It was shared the voting of the executive committee is done yearly, and the board will be voting on all three positions.

Chairperson Arteaga asked Mr. Feit if he would be willing to step up to the Chairperson role, and he agreed to be the Chairperson.

Ms. Diane Schutt asked if Ms. Frances Beurivage was willing to stay on as the secretary. Ms. Beurivage replied yes.

Conversation between the members on job duties of the executive committee.

Mr. Feit asked who would be interested in serving as the vice chairperson. Ms. Brooke Fitzpatrick volunteered herself. Mr. Feit asked if there were any other nominations from the floor. None were stated.

Ms. Williams clarified, in the document and on page 15, it states that the secretary assumes the position of the vice chairperson when the terms have been completed. Mr. Feit replied, in this case Ms. Beurivage would be vice chairperson and Ms. Fitzpatrick would be secretary. Ms. Fitzpatrick agreed to this. Ms. Beurivage clarified that the board will be voting on Mr. Feit as chairperson, Ms. Beurivage as vice chairperson and Ms. Fitzpatrick as the secretary.

Conversation between the members on who will be taking what position, and what the bylaws

state.

Ms. Vali Hitz made the motion that Mr. Robert Feit serves as chairperson, Ms. Frances Beurivage serves as vice chairperson, and Ms. Brooke Fitzpatrick serves as secretary for 2023. Ms. Sandy Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Beurivage, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye.

Chairperson Arteaga commented that the board member handbook should be a part of the board member binders at each meeting.

Chairperson Arteaga noted that Ms. Beurivage had to leave the meeting at approximately 11:20 a.m.

Chairperson Arteaga added that after today's meeting the torch will be handed off to Mr. Robert Feit. Chairperson Arteaga will be helping as needed.

Board Members took a five-minute break at 11:20 a.m.

H. Executive Director Report by Ms. Kelsey Cruz

1. Budget Report

Interim Executive Director, Kelsey Cruz, introduced the budget and finance manager, Ms. Jackie Novak, to discuss the budget report. Ms. Novak shared the agency budget went up from last year quite significantly. Ms. Novak referenced the handout that the Board Members received in their binders to outline the agencies budget and answered any questions.

Interim Executive Director Cruz thanked the board for their support during the transitional time period. Ms. Cruz indicated everyone has been supportive, adding Chairperson Arteaga has been especially supportive and a great sounding board. Ms. Cruz remarked this support has made the transition easy, and she is thankful for all that Chairperson Arteaga has done. Applause by all. Interim Director Cruz presented Chairperson Arteaga with a plaque to thank her for her time spent on the board.

2. Top 10 Report

Interim Director, Ms. Kelsey Cruz, shared with the board the highlights of advocacy specialists activities. With the transition of leadership, Ms. Cruz encouraged the advocacy specialists to find new opportunities for training, education, and presentations. Ms. Cruz added she is continuing to encourage the advocacy specialists to use our American Rescue Plan Act (ARPA) funding. Ms. Cruz indicated we have hundreds of thousands of dollars to spend, and in the first quarter report, we spent anywhere between \$5,000 - \$6,000.

Chairperson Arteaga added that during the executive board meeting they discussed ARPA funding. She indicated we can use the funds for paying for sign language interpreters for Individualized Educational Plan (IEP) meetings. Ultimately, we need to get the word out those funds are available.

Interim Director Cruz outlined what is currently being done by the agency to get the word out.

Chairperson Arteaga asked about page 21 of the H.2.document in the board packet binders. Specifically, Chairperson Arteaga asked why names of individuals are listed here who no longer work for NCDHH. Interim Director Cruz replied that this page corresponds with page 18 and 20, referencing the number on the charts.

3. Marketing Report

Interim Director, Ms. Kelsey Cruz, shared with the members about the employee spotlight series. She requested the advocacy specialists create a vlog introducing themselves to put on the agency website.

Interim Director Cruz shared she is working with Ms. Jamie Petersen, Hearing Aid Bank Coordinator, on developing a position paper regarding over-the-counter hearing aids. In addition, she also wants to work on promoting another Coffee with Cops event as the one in March 2022 was very successful.

Conversation ensued between the members on events for the coming year, and the suggestion of different venues instead of a Salt Dogs game.

Interim Director Cruz also added that inside the board packets are travel reports from Ms. Kathy Scusa, Advocacy Specialist in North Platte, who traveled to California for the Association of Late Deafened Adults (ALDA) Convention; and Ms. Susan Whitaker, Advocacy & Education Specialist in Scottsbluff, who traveled to Florida for the Hearing Loss Association of America (HLAA) Convention.

Chairperson Ms. Candice Arteaga shared with the members the executive committee and Interim Director Cruz are meeting bi-weekly to stay in touch and update each other. They are looking at ways to improve the Mental Health Advisory Committee (MHAC) meetings. The last few meetings have not had voting members present, and they are examining ways to revitalize the committee.

Ms. Peggy Williams commented it was mentioned at the board meeting in North Platte this past September that a couple of deaf members would like the board to have one of our quarterly meetings at the OAD Hall. This is something to think about when the board starts planning the locations for the 2023 meetings.

Ms. Diane Schutt made the motion to accept the Executive Director's report as presented. Ms. Sandy Shaw seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Beurivage was absent.

I. Committee Reports

Chairperson Ms. Candice Arteaga asked if anyone is interested in serving on any of the committees

to please let Interim Director Cruz or Mr. Robert Feit know.

Ms. Vali Hitz asked if the Interpreter Issues Committee (IIC) has meetings. Ms. Sharon Sinkler, Interpreter Program Coordinator replied that typically they meet when they have issues to discuss. If the IIC receives something that needs their attention, we bring it to the IIC.

J. Public Comment

No public comments

K. Old Business

No old business

L. New Business

No new business

M. Adjourn

Ms. Peggy Williams moved to adjourn the meeting at 11:53 a.m. Mr. Robert Feit seconded the motion. With no further discussion, the motion carried with Ms. Arteaga, Mr. Feit, Ms. Fitzpatrick, Ms. Hitz, Mr. Scherling, Ms. Schutt, Ms. Shaw, and Ms. Williams all voting aye. Ms. Beaurivage was absent.

Next Meeting Dates

- March 10, 2023 – location needed.