

**Nebraska Commission for the Deaf and Hard of Hearing
Full Commission Board Meeting
Holiday Inn Express 1020 E. Douglas St. O'Neill, NE**

June 17, 2016 Meeting Minutes

A. OPENING

Chairman Dr. Frank Turk called to order the June 17, 2016 meeting of the Nebraska Commission for the Deaf and Hard of Hearing full commission board meeting at 8:29 a.m. at the Holiday Inn Express in O'Neill, NE.

B. NOTICE OF OPEN MEETING

Dr. Turk announced 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. The agenda was kept current in the Nebraska Commission for the Deaf and Hard of Hearing's office and on the Board's website. Materials generally used by the Board for this meeting were available in the public folder for inspection by the public, and in accordance with the Open Meetings Act. A copy of the Open Meetings Act was available for the duration of the meeting.

C. ROLL CALL

For the record, Board Members Margie Propp, Norm Weverka, Stacie Ray, John Hogue, Carol Lomicky, Dr. Pete Seiler, Jeremy Fitzpatrick and Frank Turk were present. Board Member Gina Frerichs was absent and excused. Also present were Director, John Wyvill and Business Manager, Natasha Olsen. Interpreters present were Lorelei Waldron and Sharon Sinkler. Mydge Heaney was present for CART Services.

D. REVIEW OF AGENDA

Executive Director Wyvill reviewed the agenda with the Board Members.

E. ACCEPTANCE OF AGENDA

Chairman Turk reminded those present for the meeting that the agenda cannot be altered 24 hours prior to the meeting except for emergency items according to the Open Meetings Act. Board Member Seiler moved to adopt the agenda as printed. Board Member Weverka seconded the motion. With no further discussion, the motion carried with Propp, Fitzpatrick, Lomicky, Ray and Turk voting aye.

F. ACCEPTANCE OF MINUTES

Chairman Turk asked for any additions or corrections to the March 11, 2016 minutes. Board Member Lomicky stated that her name was missing from the vote on page 4. Board

Member Lomicky also noted on page 4 in the last paragraph she is identified as a hearing loop specialist and that's not accurate. Ms. Lomicky stated she is a hearing loop advocate. Ms. Lomicky noted that on page 6, half way down the page that Mr. Schultz was listed as a Ms. With no further discussion, Board Member Lomicky moved to accept the March 11, 2016 meeting minutes as amended. Board Member Hogue seconded the motion. The motion carried with Propp, Fitzpatrick, Weverka, Seiler, Ray and Turk voting aye.

G. CHAIRMAN OF THE BOARD'S REPORT

1. Chairman Turk welcomed Dr. Pete Seiler to his first board meeting as a Board Member. Chairman Turk stated that Dr. Seiler's NCDHH background and leadership will take the Board to a new level and he is the perfect fit for the team. Dr. Turk proceeded to say that there are many commissions for the deaf, deaf/blind and hard of hearing, however; there are not many like us. NCDHH has Peggy Williams. Ms. Williams has built a model program that should be emulated by all in Deaf America. Chairman Turk continued to say Ms. Williams has had a high quality 35 year career that will never be equaled. Chairman Turk proceeded to present Ms. Williams with a resolution. Ms. Williams thanked everyone for giving her the opportunity to serve an organization that she has loved for so long. Chairman Turk informed the Board Members that the chairperson of the Commission for the Blind and Visually Impaired contacted him and Director Wyvill asking for ideas about how they could do more for their group. Dr. Turk stated that this is one example of how much people recognize the success of NCDHH.
2. Dr. Pete Seiler stated the Oath of Office that a new Board Member takes when starting their position on the Board.
3. Chairman Turk asked if anyone had comments from the Town Hall meeting the night before. Board Member Seiler stated that as a previous Director of NCDHH he has participated in many Town Hall meetings. In some places there are a lot of people who join and some that are not as successful, but what is important is that NCDHH is available for people to attend, make comments and learn about the services available. Board Member Propp stated that while it was a small number of people that attended this Town Hall meeting was different. There was a lot of one-on-one contact and the people there were getting the services and information they needed. Board Member Propp proceeded by talking about a mother that was in attendance who met with Dr. Seiler and Board Member Weverka about her child and school. Board Member Propp stated if it was just for helping this mother, this meeting was worth it. Board Member Ray noted that she had several people talk to her about providers and needing services in rural areas. Director Wyvill informed the Board Members that Natasha Olsen and Kelsey Cruz were instrumental in the planning and execution of the Town Hall meeting

and the events in O'Neill. Director Wyvill continued by thanking Ms. Olsen and Ms. Cruz and stated they are the two who made it possible for an outstanding venue and event and all the arrangements behind the scenes.

4. The Board Members proceeded with voting for new officers. Board Member Fitzpatrick nominated Board Member Propp as the new Chairperson. Board Member Ray nominated Dr. Turk as the Vice-Chairperson and Chairman Turk nominated Board Member Seiler as Secretary. Board Member Weverka made a motion to close the nominations. Board Member Fitzpatrick seconded the nominations. The motion carried with Propp, Lomicky, Hogue, Ray, Seiler, and Turk voting aye.

H. FINANCIAL REPORT

1. Natasha Olsen, the Business Manager for the agency, discussed the NCDHH budget with the Board. Ms. Olsen proceeded to discuss the budget explaining there are some larger expenditures coming out of the budget soon. There is an \$8,000 expenditure from the front office remodel as well as the vacation and sick leave payout when Peggy Williams retires. Ms. Olsen stated that the payout will put the Commission closer to the top of the budget but the agency will still be \$10-15,000 under the maximum for salaries. The last large expenditure is the board meeting in O'Neill and the hotel expense. Ms. Olsen ended by stating overall the agency is under the budget with the budget year nearly finished. Ms. Olsen also stated that the funds the Commission doesn't spend from the current fiscal year will rollover into the fiscal year 16-17. Board Member Fitzpatrick asked if we don't spend all of the money in the budget if that money rolls over into the following year. Ms. Olsen stated only if it's within the same two year budget. If it's the last year of the budget cycle the Commission has to request the remaining funds in the budget from the Legislature. Director Wyvill stated at the September board meeting the budget will be discussed and it will be recommended that the Commission advocates to keep any funds remaining at the end of the fiscal year. Ms. Olsen stated that when doing so the funds can only go to one time expenditures similar to the NET special that the Commission has made in the past. Ms. Olsen explained the Commission could not use it towards a new employee for example. Board Member Fitzpatrick asked who or what agency determines the salaries and Ms. Olsen replied that is set by the Legislature.
2. Ms. Olsen informed the Board Members that she has worked diligently to update the employee awards policy to include smaller recognitions that the Director can do outside of the Employee of the Year award. Ms. Olsen proceeded to explain that the award policy has to be approved by the Department of Administrative Services for the final approval and that will be submitted after the Board Members make changes and vote on the policy. Board Member Propp asked why the policy was called the

Employee Recognition Policy when it also includes awards for Board Members and the Interpreter Review Board Members awards. Ms. Olsen stated the previous award policy was compiled as one with employees and board members so she continued it that way. Board Member Lomicky asked how the staff would be selected to receive recognition. Ms. Olsen described some of the recognition options that had no cost tied to them, for example “You Rock” cards which gives all of the staff an opportunity to praise their co-workers for a time they have gone out of their way to help them or a client out. Ms. Olsen explained through the leadership trainings she has been attending there has been emphasis on recognizing staff throughout the year rather than one time a year similar to the Governor’s recognition. Board Member Lomicky stated that she applauds the effort, however; need to be careful not to hurt people’s feelings if they do not receive recognition. Director Wyvill informed the Board Members that Natasha Olsen and Kelsey Cruz went to Talent Plus, an internationally recognized company, for leadership training and brought back many ideas on staff appreciation. Director Wyvill proceeded by saying staff appreciation is very important to the new administration, not only formal recognition but small tokens of appreciation. Ms. Olsen has also implemented a weekly phone call so that all of the offices can talk about the positive things going on in their personal and professional lives. Director Wyvill stated these are some of the things Ms. Olsen has implemented in an effort to show appreciation to all of the employees at the Commission and that is the goal of the award policy. Board Member Seiler made a motion to accept the updated award policy and Board Member Hogue seconded the motion. Board Member Propp amended the motion to accept the award policy but change the name from the NCDHH Employee Award Policy to NCDHH Award Policy and accept any recommendations/changes from DAS State Personnel after submitted to them for approval. Board Member Weverka seconded the amended motion. The motion carried with Lomicky, Hogue, Fitzpatrick, Ray, and Turk voting aye.

3. Ms. Olsen informed the Board Members that she has updated the NCDHH Employee Handbook. The update includes more information from the NAPE Labor Contract and includes how much vacation and sick leave employees accrue, attendance expectations, etc. Ms. Olsen explained the previous handbook stated that employees have a 7 minute grace period for arriving to work before they had to use vacation time for being late. Ms. Olsen went on to explain that some staff was taking advantage of that and if you add that up it’s 35 minutes per week, they are getting paid and not working. The expectation is that if your schedule is 8:00 a.m. to 5:00 p.m. you are here and ready to work at 8:00 a.m. Ms. Olsen also explained that last year the Board Members approved some updated policies and she has incorporated those into the handbook. Board Member Lomicky made a motion to accept the

NCDHH Employee Handbook. Board Member Propp seconded the motion. The motion carried with Hogue, Fitzpatrick, Ray, Weverka, Seiler and Turk voting aye.

I. EXECUTIVE DIRECTOR'S REPORT

1. Director Wyvill explained every two weeks he sends Dr. Turk an overview of his activities. Director Wyvill reviewed a few things that the agency has been working on.
2.
 - a. Director Wyvill reviewed the monthly reports that are completed by Field Reps and all staff. The average expectations is to do four presentations a month, one booth a month and ten appointments a week. The reason this is tracked is for performance standards and accountability.
 - b. Director Wyvill discussed that all of the staff will be in Lincoln for a two day all staff training the week of June 20th in addition to celebrating Peggy Williams's retirement that week. Director Wyvill stated how important the monthly reports are for the Commission but more so in the western part of the state, to prove why the Scottsbluff office was needed.
3. Director Wyvill informed the Board Members that he has an opportunity to speak at the National Hands and Voices Leadership Conference. Board Member Weverka made a motion to approve expenses for Director Wyvill to travel to Colorado for the National Hands and Voices Leadership Conference. Board Member Seiler seconded the motion. The motion carried with Fitzpatrick, Propp, Lomicky, Hogue, Ray and Turk voting aye.
4.
 - a. Director Wyvill made note of the Commission's largest outreach event, Deaf and Hard of Hearing Awareness Night with the Lincoln Salt Dogs, is going to be on July 13th and the first pitch will be thrown by a member of Junior NAD.
 - b. The second event coming up is the Nebraska State Fair. NCDHH is working in collaboration with NeAD and the Commission will be present for Nebraska Days.
 - c. Director Wyvill added that a date has been set for the Omaha Henry Doorly Zoo event and that is September 25th.
 - d. Director Wyvill also stated that the agency is working on a disaster preparedness event, more information will be presented in the fall.
 - e. Lastly, Director Wyvill discussed the 150 year anniversary of Nebraska occurring next year and to celebrate the state is offering grant money. NCDHH will working

with NeAD to submit a proposal for the deaf museum and hard of hearing history in the last 150 years in the state of Nebraska.

J. LEGISLATIVE REPORT

1. No discussion was had regarding federal legislation.
2. Director Wyvill explained that the Board Members will need to determine the legislative agenda in September and the priority as well as the budget. Director Wyvill stated that NCDHH will formally ask for \$10,000 from the Legislature to assist Junior NAD with the national conference in the fall of 2017. Director Wyvill explained that it is projected there will be a \$70 to \$90 million deficit in revenue collected this year and it is being projected budgets will only grow 1% in the upcoming years. Director Wyvill also stated the Commission will be requesting the funds that are not spent to be added to the new budget as well as requesting approval for making adjustments to the budget without increasing the budget. Director Wyvill explained that would be adding a staff interpreter to the staff to only interpret and because the Commission is under the salary budget additional money would not need to be requested. The Commission would also use the interpreter to go into the community and interpret when a referral was not filled by a community interpreter. This would present an opportunity to bring income in and assist with funding the position. Director Wyvill added that he has been reviewing as to whether or not the Kearney Field Representative position needs to be full time. Director Wyvill stated there are two interim studies that are starting on July 1 regarding closed captioning at movie theaters and hearing aid insurance.

Break from 10:30 a.m. to 10:45 a.m.

Board Member Ray was excused from the board meeting at 10:30 a.m.

The Board Members and staff had a working lunch at noon.

K. INTERPRETER PROGRAM REPORT

1. Crystal Pierce, the Interpreter Program Assistant updated the Board Members with a RID update. Ms. Pierce stated during RID's recent board meeting in March it was announced two types of certification testing will be accepted again and those are NIC, the National Interpreter Certification and the CDI, the Certification of Deaf Interpreter. RID will be accepting applications again starting July 1. The Specialized Certification Legal, SCL, and the OTC the Oral Transliterator Certification will continue to be on moratorium. Ms. Pierce stated RID was on a moratorium because of funding.

2. a. Ms. Pierce presented an application for Heath Focken to be re-appointed to the IRB. Mr. Focken was approved in September and finished a term for another individual. Board Member Weverka made a motion to reappoint Heath Focken to the IRB. Board Member Propp seconded the motion. The motion carried with Hogue, Fitzpatrick, Seiler, Lomicky and Turk voting aye.

Ms. Pierce presented three applications for two vacant positions on the IRB. Nancy Flearl, a representative from the Nebraska Commission for the Blind and Visually Impaired (NCBVI). Jessica Nickels, a representative from Vocational Rehabilitation and Nancy Kaufman who also works at NCBVI. Board Member Weverka made a motion to appoint Nancy Flearl and Jessica Nickels to the IRB. Board Member Hogue seconded the motion. The motion carried with Propp, Lomicky, Fitzpatrick, Seiler and Turk voting aye.

b. Ms. Pierce updated the Board Members on the IRB By-Laws. The changes were wording edits including referencing the IRB as “Board”, it now states IRB. Board Member Propp made a motion to approve the IRB By-Laws as presented. Board Member Fitzpatrick seconded the motion. The motion carried with Lomicky, Hogue, Weverka, Seiler, and Turk voting aye.

3. Ms. Pierce updated the Board Members that Kansas approved the Commission to use the QAST evaluation indefinitely. Frances Beurivage evaluates the QAST test and has requested approval from the Board for a \$200 evaluation fee. This is a \$30 increase from her current fee of \$170. Ms. Pierce explained that the Commission currently does not make money on administering the QAST. Infact, the Commission loses money because the Commission pays the room rental fee for the applicant to take the exam. Ms. Pierce stated after she and Ms. Olsen met with the Attorney General’s office the Board Members could approve an increase of the QAST fee to \$220. The Attorney General’s office explained that due to the wording of the current statutes the Commission could not increase the fee to more than what the expenses to administer the test. Board Member Weverka made a motion to increase the QAST testing fee to \$220 effective July 1, 2016. Board Member Propp seconded the motion. The motion carried with Lomicky, Hogue, Fitzpatrick, Seiler and Turk voting aye.

Board Member Propp made a motion to go into closed session for the purpose of discussing interpreter complaints. A closed session is clearly necessary to prevent needless injury to the reputation of those involved. The time on the meeting clock was 11:33 a.m. Board Member Hogue seconded the motion. The motion carried with Lomicky, Fitzpatrick, Weverka, Seiler and Turk voting aye.

Board Member Seiler made a motion to come out of executive session at 12:18 p.m.

Board Member Propp made a motion to confirm the IRB recommendation relative to Case 1600 and close the case. Board Member Fitzpatrick seconded the motion. The motion carried with Lomicky, Hogue, Weverka, Seiler and Turk voting aye.

Board Member Propp made a motion to continue the investigation for Case 2200. Board Member Lomicky seconded the motion. The motion carried with Hogue, Fitzpatrick, Weverka, Seiler and Turk voting aye.

L. MARKETING REPORT

1. Kelsey Cruz, Public Information Officer, began by discussing the Commission's Facebook statistics. Some of the most popular Facebook posts were Interpreter Appreciation Day and the Dancing with the Stars post about with Nyle.

Ms. Cruz went on to explain that Field Reps have been tracking how the clients they serve hear about the Commission. Ms. Cruz stated the most common responses are that other agencies refer them to the Commission, a friend or media.

Ms. Cruz closed by stating the Commission has been active since the last board meeting, Director Wyvill was on 10/11 News promoting the hearing aid banks and donating hearing aids, Brittney from the Scottsbluff office was in the newspaper and the Commission's presence in Strictly Business. Board Member Seiler commended Ms. Cruz on her efforts to promote the Commission and Director Wyvill for having the foresight to hire a PR person.

M. OTHER BUSINESS

1. Director Wyvill stated a policy for the Board's selection of interpreters is ready to be put into place. Board Members Seiler, Ray, Weverka, and Turk developed a policy and what the process is when the Commission selects outside interpreters. Board Member Seiler made a motion to accept the policy with Board Member Weverka seconding the motion. The motion carried with Propp, Lomicky, Hogue, Fitzpatrick and Turk voting aye.

N. SUBCOMMITTEE UPDATES

There were no committee reports. Board Member Seiler stated he would like to serve on the Legislative Committee and the Interpreter Committee in addition to the Executive Committee as the Board's Secretary.

O. NEW BUSINESS

1. Board Member Seiler discussed Lead K-12 and explained that K-12 is under the federal bill and called the Cogswell Macy Act and has not passed. The goal of K-12 is to ensure children going into kindergarten are at an appropriate language level. Nationwide there is a gap with deaf children going to school. Board Member Seiler stated that he is hopeful that once Lead K-12 is passed that the Commission will require a language assessment that's going to monitor deaf and hard of hearing children's development.

P. ADJOURN

Board Member Propp made a motion to adjourn the June 17, 2016 board meeting at 1:08 p.m. Board Member Fitzpatrick seconded the motion with Lomicky, Hogue, Weverka, Seiler and Turk voting aye.

These minutes were available for public inspection on July 1, 2016, in compliance with Nebraska Statute §84-1413 (5).