



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

GOOD NEWS

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF AUGUST 18, 2017

Commissioner Drumheller called the meeting to order in Lincoln, Nebraska at 9:00 a.m. on August 18, 2018. It was established after a roll call that there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Eric Drumheller, Chairperson  
Patrick Borchers

Janet Palmtag  
Kristin Yates

##### *Staff Present*

Stan Odenthal, Executive Director  
Shelley Foss, Unit Director  
Andrea Berry, Investigator III

Paula Gardner, Unit Director  
Ben Watson, Unit Director  
Cat Souliere, Staff Assistant

#### II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the August 18, 2017 Commission meeting.

#### III. APPROVAL OF MINUTES

Commissioner Drumheller declared the July 12, 2017 Commission meeting minutes approved.

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IV. ADDITIONS OR CORRECTIONS

Under Section XIV. BUSINESS, please remove item 3. Employee Recognition Plan, item 4, Employee Personnel Manual Policy Updates, item 5, Public Hearing Assignment, and item 7. Fair Housing Presentation. Please move item 6, Previous Month's Ledger Report to item 2. Please move item 8, Executive Director Position, to item 3. Please move item 1, Director Updates, to item 4. Please add item 5, Interim Director Appointment Confirmation.

Commissioner Drumheller moved to Suspend the Rules and move Section XIV. BUSINESS, 5. Interim Direction Appointment Confirmation to this point in the meeting.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

Commissioner Drumheller moved to confirm Paula Gardner the Interim Executive Director, beginning September 2, 2017, with an annual salary of \$77,500.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this time.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

A. EMPLOYMENT

1. NEB 1-16/17-11-49349 (Respondent was present.)

Commissioner Borchers moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Yates, Drumheller, Borchers, Palmtag  
Nays:  
Abstained:  
Motion Carried

2. NEB 1-16/17-10-48286 (Complainant was present.)

Commissioner Yates moved for no reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL: Ayes: Yates, Drumheller, Palmtag  
Nays: Borchers  
Abstained:  
Motion Did Not Carry

Commissioner Drumheller moved to table the case until next month.

Commissioner Borchers seconded the motion.

ROLL CALL: Ayes: Yates, Drumheller, Borchers, Palmtag  
Nays:  
Abstained:  
Motion Carried

3. NEB 1-16/17-1-48365 (Complainant was present.)

Commissioner Borchers moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Yates, Drumheller, Borchers, Palmtag  
Nays:  
Abstained:  
Motion Carried

4. NEB 3-16/17-11-48275 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

5. NEB 1-16/17-9-48246 (Complainant and Respondent were present.)

Commissioner Borchers moved for reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

6. NEB 3-16/17-11-49274 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

7. NEB 3-16/17-11-48278 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Yates seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

8. NEB 3-16/17-11-48279 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

B. PUBLIC ACCOMMODATION

1. NEB 1-16/17-3-3361-PA (Respondent was present.)

Commissioner Borchers moved for no reasonable cause.  
Commissioner Drumheller seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

2. NEB 1-16/17-3-3362-PA (Respondent was present.)

Commissioner Borchers moved for no reasonable cause.  
Commissioner Drumheller seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

A. EMPLOYMENT

1. NEB 1-16/17-9-48242
2. NEB 2-16/17-9-47826
3. NEB 1-16/17-7-48130
4. NEB 1-16/17-10-48288
5. NEB 2-16/17-8-47795
6. NEB 2-16/17-8-47796
7. NEB 2-16/17-11-47882
8. NEB 1-16/17-10-49308
9. NEB 3-16/17-9-48097
10. NEB 1-16/17-11-49323
11. NEB 1-16/17-2-48401
12. NEB 2-15/16-5-47687
13. NEB 2-16/17-11-47902

Commissioner Drumheller moved for no reasonable cause on the above cases.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-16/17-5-3376-PA  
NEB 2-16/17-3-3364-H  
NEB 2-16/17-5-3378-H

Commissioner Drumheller moved to adopt the agreements.  
Commissioner Yates seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. WITHDRAWALS

NEB 1-16/17-1-48358  
NEB 3-16/17-2-48312

Commissioner Drumheller moved to administratively close the above cases based on withdrawal by Complainant.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

B. HUD

NEB 1-14/15-5-3158-H

Commissioner Drumheller moved to adopt the findings of HUD.  
Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

C. EEOC

NEB 1-14/15-6-45942  
NEB 2-15/16-6-47722  
NEB 2-15/16-4-47295

Commissioner Drumheller moved to adopt the findings of the EEOC.  
Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

X.     CONCILIATION

NEB 2-15/16-10-47121  
Commissioner Drumheller moved to adopt the recommendations of the Director of Conciliations.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

XI.    CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII.   PUBLIC HEARING

None at this time.

XIII.  CIVIL ACTION

None at this time.

XIV. BUSINESS

1. Employee Introductions

Director Odenthal introduced several employees to the Commission.

2. Previous Month's General Ledger Report

Commissioner Drumheller moved to approve and accept the previous month's budget reports.  
Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

3. Executive Director Position

The Commission discussed the interview procedures for filling the Executive Direction Position. An individual from the Office of the Attorney General shared information regarding the Public Meetings Act and how it can impact the interview procedures.

Commissioner Drumheller moved to enter Executive Session to conduct an exit interview with Director Odenthal and the purpose of going into Executive Session is to avoid the needless damage of reputation of anyone who may be discussed.  
Commissioner Borchers seconded the motion.

ROLL CALL:           Ayes:     Yates, Drumheller, Borchers, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

The Commission entered Executive Session 11:00 a.m.

Commissioner Drumheller moved to exit Executive Session.  
Commissioner Borchers seconded the motion.

The Commission reentered regular session at 11:33 a.m.



4. Director Updates

Director Odenthal updated the Commission on his activities. He mentioned attending the EEOC conference and interviewing and hiring employees. Director Odenthal and Ben Watson discussed our work with the Office of the Attorney General as relates to housing cases.

Director Odenthal said that he met with NET television regarding public service announcements.

Director Odenthal shared some upcoming training events he will attend.

XV. ADJOURNMENT

Commissioner Drumheller declared the August 18, 2017 Commission meeting ended at 11:47 a.m.

