



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF May 15, 2020

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Commissioner Borchers called the meeting to order in Lincoln Nebraska at 9:32 a.m. on January 17, 2020. It was established, after a roll call, there was a quorum.

I. ROLL CALL

Commissioners Present

Patrick Borchers, Chairperson
Rita Griess
Eric Drumheller

John Arnold
Amber Schuppan
Kristin Yates

Staff Present

Marna Munn, Executive Director
Shelley Foss, Unit Director

Paula Gardner, Unit Director

Cherryll Batty, Staff Assistant

Andrea Berry, Investigator III

II. NOTICE OF PUBLICATION

Director Munn read the dates of publication for the current Commission meeting.

III. APPROVAL OF MINUTES

Commissioner Borchers made a motion to approve the minutes of the April 17, 2020 meeting and Commissioner Griess seconded. The minutes were approved

IV. ADDITIONS OR CORRECTIONS

No additions or corrections

V. PUBLIC INPUT (Non-Case)

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

There was no public input.

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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

VII. CASE DISPOSITIONS

- A. EMPLOYMENT (R submitted a statement)
NEB 1-19/20-7-50735

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

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Griess, Schuppan
 Nays: None
 Abstained: None
 Motion Carried

- A. EMPLOYMENT (C submitted a statement)
NEB 1-19/20-8-50640

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

ROLL CALL: Ayes: Arnold, Schuppan, Borchers, Yates, Drumheller, Griess
 Nays: None
 Abstained: None
 Motion Carried

- A. EMPLOYMENT (C submitted a statement)
NEB 2-18/19-4-50410

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

ROLL CALL: Ayes: Schuppan, Borchers, Drumheller, Arnold, Griess, Yates
 Nays: None
 Abstained: None
 Motion Carried

A. EMPLOYMENT

NEB 1-15/20-8-50693

Commissioner Drumheller moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Drumheller, Griess, Schuppan, Borchers, Arnold
 Naves: None
 Abstained: Yates
 Motion Carried

A. EMPLOYMENT

NEB 1-19/20-7-50619

NEB 1-19/20-9-50747

NEB 3-18/19-1-50161

NEB 2-19/20-8-50690

NEB 1-18/19-5-50512

NEB 3-19/20-8-50715

NEB 1-19/20-7-50652

NEB 2-19/20-7-50643

NEB 2-19/20-8-50729

NEB 2-19/20-8-50730

Commissioner Arnold moved for no reasonable cause.

Commissioner Schuppan seconded the motion.

ROLL CALL: Ayes: Borchers, Griess, Arnold, Drumheller, Yates, Schuppan
 Naves: None
 Abstained: None
 Motion Carried

**Commissioner Arnold referred to cases using an internal numbering system. Corresponding case numbers were read into the record at a later time.

B. HOUSING

NEB 1-18/19-4-3516 (R submitted a statement)

Commissioner Arnold moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Drumheller, Yates, Schuppan, Borchers, Arnold
 Naves: Griess
 Abstained: None
 Motion Carried

B. HOUSING

NEB 1-18/19-4-3557

Commissioners discussed issues related to the guidance provided by the Keating Memo adopted by HUD with regards to municipal occupancy regulations. The Commissioners tasked the agency with gathering more information.

Commissioner Borchers to table the case for further review
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Griess, Schuppan, Drumheller, Borchers
 Nays: None
 Abstained: None
 Motion Carried

B. HOUSING

NEB 2-19/20-12-3569

NEB 1-19/20-12-3566

NEB 2-19/20-11-3563

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

ROLL CALL: Ayes: Arnold, Schuppan, Borchers, Yates, Drumheller, Griess
 Nays: None
 Abstained: None
 Motion Carried

C. PUBLIC ACCOMMODATION

None at this time

VIII. SUCCESSFUL AGREEMENTS

NEB 2-19/20-8-50692

NEB 2-19/20-1-51080

NEB 1-18/19-6-50547

NEB 2-19/20-2-3587-H

NEB 1-19/20-1-3571-H

NEB 2-19/20-2-3586-H

Commissioner Borchers moved to adopt the agreements
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Griess, Schuppan
 Nays: None
 Abstained: None
 Motion Carried

I. ADMINISTRATIVE ACTIONS

A. LACK OF JURISDICTION
 NEB 1-18/19-3-50328

Commissioner Borchers moved to administratively close the case based on lack of Jurisdiction.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Schuppan, Borchers, Drumheller, Arnold, Griess, Yates
 Nays: None
 Abstained: None
 Motion Carried

II. CONCILIATION

None at this time

III. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time

IV. PUBLIC HEARING

None at this time

V. CIVIL ACTION

NEB 2-15/16-2-3251-H Wainwright vs. Cordova Apartments LLC

Commissioner Borchers moved to administratively dismiss the case and accept the order of the District Court of Douglas County and noted that the appeal time has run.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Borchers, Griess, Arnold, Drumheller, Yates, Schuppan
 Nays: None
 Abstained: None
 Motion Carried

NEB 1-18/19-7-3454-H Jura vs. Alcor LLC

Commissioners discussed the Attorney General's decision not to move forward with this case, remaining remedies for the parties involved and procedural options for the agency with regards to closing the case. Commissioner Borchers asked the agency to provide parties guidance with regards to statutes of limitations.

Commissioner Borchers made a motion to dismiss the case.

Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Drumheller, Griess, Shuppan, Yates, Borchers, Arnold
 Nays: None
 Abstained: None
 Motion Carried

**Commissioner Arnold previously referred to employment cases using an internal numbering system. At this time, Andrea Berry read the case numbers of the Employment Cases on which the commissioners moved to find no reasonable cause.

VI. BUSINESS

1. Previous Month's General Ledger Report

Commissioner Borchers moved to accept the previous month's General Ledger report.

Commissioner Drumheller seconded the motion.

ROLL CALL: Ayes: Griess, Drumheller, Yates, Schuppan, Borchers, Arnold
 Nays: None
 Abstained: None
 Motion Carried

2. Director's Report

Director Munn offered her thanks to agency employees for their work through the Covid-19 crises. She gave a report to the Commissioners on contractual funding and workshare agreements with federal agencies. She addressed future public hearings with updates to the Commissioners on the status of cases which would potentially be heard at these hearings. The Director discussed planning future meetings and issues that would need to be addressed with regard to complying with potential executive orders and social distancing requirements. The Commissioners left it to the Director's discretion to make the decision regarding the format of the June Meeting. As the current executive order regarding the Open Meetings Act is due to expire on May 31, 2020, the discussion was tabled until such time as final guidance is issued for the month of June.

VII. ADJOURNMENT

Commissioner Borchers made a motion to adjourn the meeting
Commissioner Arnold seconded the motion.

ROLL CALL: Ayes: Yates, Arnold, Drumheller, Borchers, Griess, Schuppan
 Nays: None
 Abstained: None
 Motion Carried

Commissioner Borchers declared the May 15, 2020 Commission meeting ended at 10:34 AM

Respectfully submitted,



Cherryll Batty
Staff Assistant

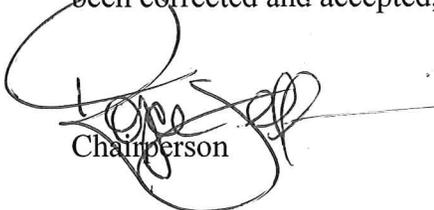
6/11/2020
Date



Marna Munn
Executive Director

6/11/2020
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of May 15, 2020 have been corrected and accepted, and henceforth approved on this date.



Chairperson

6-19-20
Date