



**VT Human Rights Commission**  
14-16 Baldwin Street  
Montpelier, VT 05633-6301  
<http://hrc.vermont.gov>

[phone] 802-828-2480  
[fax] 802-828-2481  
[tdd] 877-294-9200  
[toll free] 1-800-416-2010

**VERMONT HUMAN RIGHTS COMMISSION  
MINUTES  
October 19, 2017**

**PRESENT:** Commissioners: Mary Marzec-Gerrior, Chair, Donald Vickers, Mary Brodsky, Nathan Besio (recused from 9:45 – 10:20), Dawn Ellis (arriving at 10:40) Chuck Kletecka (arriving at 9:45 – departing at 10:30), Substitute Commissioner. Staff: Karen Richards, Executive Director, Nelson Campbell, Bor Yang, and Ayn Lee Sing, Administrative Law Examiners, Jocelyn Bolduc, Executive Staff Assistant (minutes).

Commissioner Marzec called the meeting to order at 9:02 a.m.

**BUSINESS MEETING**

Marzec-Gerrior discussed desire to change future meeting agenda's to allow more time for hearings versus administrative, business matters. Commissioners can call ED Richards or ESA Bolduc prior to hearing for administrative matters. If ED Richards feels it is a matter that needs to be addressed by all Commissioners, she will bring up at meeting.

2018 MEETING DATES: Vickers moved to approve the meeting dates as proposed. The motion was seconded by Brodsky. Vote 4-0 (Ellis not yet present)

June 28, 2018 meeting may be changed or cancelled due to International Restorative Justice conference in Burlington, VT.

MINUTES: Vickers moved to accept the minutes of the September 21, 2017 meeting as written. The motion was seconded by Besio. Vote 4-0 (Ellis not yet present)

EXECUTIVE DIRECTOR REPORT:

**BUDGET**

ED Richards met with the State budget committee on October 18, 2017 and was told another \$4,205.00 had to be cut from the HRC budget for level funding. This is unusual as per experience of years past where there was understanding by the administration that the HRC had cut everything possible. ED Richards went back to HRC budget and cut what she could. The revised level funded budget has been sent to the AoA.

## **UPDATES**

Marketing- On September 25<sup>th</sup>, ED Richards and ESA Bolduc met with a marketing expert at the Agency of Commerce and Community Development. She recommended that we: 1) create an outreach plan and that rather than try to target the “state” as a whole, reach out to entities that provide services to the people who are within our substantive jurisdiction; 2) reach out protected group by group over a period of time; 3) determine what success looks like, evaluate our activities after six months or so and make adjustments to our approach; 4) use unearned media (i.e. coverage of cases/issues); 5) if we decide to use social media, pick one channel and do it right.

Commissioner and staff discussion about marketing ideas outside of having to spend money that would have a broader outreach. Further discussion about use of social media to do this. ED Richards will speak with other State agency that has recent experience with building their social media outreach to discuss pros and cons and do’s and don’ts. Commissioner Brodsky’s son may be able to help with creation of short videos on relevant topics for the website/social media.

Conference Calling Service- On September 25<sup>th</sup>, ED Richards and ESA Bolduc met with our contact at the Agency of Digital Services (ADS) to discuss our Citrix contract. The ADS is moving agencies from this contract to Skype for Business due to issues with the current provider. ADS provided us with the necessary assurances that this service will work for the telephone conferencing that we need for the meetings. We will be switching over to this next month. The cost will be \$48.00 per year.

## **STATISTICS and OUTREACH**

(July 1, 2016- September 30, 2017) A comparison of cases accepted through the end of the first quarter of the 2017 and 2018 fiscal years shows that the numbers of most case types are slightly up or down from the number of cases accepted during the same period in the last fiscal year.

## **MEDIATED SETTLEMENT (formal mediation)**

Nolan v. Wesco d/b/a Capital Deli, VHRC Case No. PA17-0002. Public interest relief and damages.

## **EXECUTIVE SESSION:**

Vickers made a motion to go into executive session at 9:47 a.m. to hear a confidential case and discuss litigation where premature general public knowledge would clearly place the HRC at substantial disadvantage. The motion was seconded by Brodsky. Vote 4-0 (Besio & Ellis recused; Kletecka present)

Remained in executive session to hear confidential case, deliberate and discuss pending litigation and potential litigation.

Vermont Resident v. Privately Owned Vermont Business  
VHRC Case No. PA17-0020

Marzec-Gerrior brought the VHRC out of executive session at 10:25 a.m. Vote 4-0 (Besio, Ellis recused; Kletecka present) to find no reasonable grounds to believe that discrimination occurred.

Besio made a motion to go into executive session at 10:40 a.m. to hear a confidential case where premature general public knowledge would clearly place the HRC at substantial disadvantage. The motion was seconded by Brodsky. Vote 5-0

Remained in executive session to hear confidential case and deliberate.

Marzec-Gerrior brought the VHRC out of executive session at 12:15 p.m.

Vickers made a motion to go into executive session at 12:52 p.m. where premature general public knowledge would clearly place the HRC at substantial disadvantage. The motion was seconded by Ellis. Vote 5-0

Tenant v. Private Property Owner  
VHRC Case No. HV17-0011  
HUD Case No. 01-17-5773-8

Marzec-Gerrior brought the VHRC out of executive session at 1:29 p.m.

Brodsky moved to accept the recommendation of No Reasonable Grounds based on refusal of a reasonable accommodation. The motion was seconded by Besio. Vote 5-0

Chefan v. Macy  
VHRC Case No. HV17-0011  
HUD Case No. 01-17-5773-8

Ellis moved to accept the recommendation of Reasonable Grounds based on failure to prevent tenant on tenant harassment. The motion was seconded by Brodsky. Vote 5-0

Brodsky moved to accept the recommendation of Reasonable Grounds based on retaliation. The motion was seconded by Ellis. Vote 5-0

## **BUSINESS MEETING CONTINUED**

Commissioner Ellis asked ED Richards what could be done in cases where a party posed a potential threat to VHRC staff in interview/investigating process. ED Richards indicated that our current process is if staff have any question about safety that two staff attend interviews. Additionally, if there was a substantial, known threat a Sheriff could be hired however, this is not best-case scenario.

Further discussion occurred about overall security for VHRC staff and how to move forward with implementing additional security within the office. ED Richards plans to meet with BGS and State Security to discuss viable options of how to increase security that would be within budget.

**NEXT MEETING December 7, 2017.**

The meeting was adjourned at 1:50 p.m.

Dated at Montpelier, Vermont this 19<sup>th</sup> day of October 2017.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Karen L. Richards', written over a horizontal line.

Karen L. Richards  
Executive Director