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VERMONT HUMAN RIGHTS COMMISSION
MINUTES
June 22, 2017

PRESENT: Commissioners: Mary Marzec-Gerrior, Chair, Donald Vickers, Mary Brodsky, Nathan Besio, and Dawn Ellis. Staff: Karen Richards, Executive Director, Nelson Campbell, and Ayn Lee Sing, Administrative Law Examiners. Alexis Agredo, Law Clerk. Jocelyn Bolduc, Executive Staff Assistant (minutes).

Commissioner Marzec-Gerrior called the meeting to order at 9:07 a.m.

BUSINESS MEETING

MINUTES: Vickers moved to accept the minutes of the May 11, 2017 meeting as written. The motion was seconded by Besio. Vote 5-0

Vickers moved to accept the minutes of the May 12, 2017 meeting as written. Motion to amend the minutes to include the location of the meeting; seconded by Brodsky. Vote 5-0

Besio moved to accept the minutes of the May 25, 2017 meeting as written. The motion was seconded by Vickers. Vote 5-0

EXECUTIVE DIRECTOR REPORT:

Budget: The VHRC General Fund is currently projected to be under budget by \$34K. We also had somewhat of a boon when we discovered that the Attorney General's Office has failed to pay us for our employment (EEOC) cases for the last three federal fiscal years due to an expired MOU. It appears that they owe us about \$19,575. Federal Funds are projected to over spend by about \$4K. Our proposed FY18 GF target is \$479,657- total budget \$549,758.

The latest request from the Administration, based on revenue projections is that there will be a significant deficit. The Governor has asked all agencies to engage in an exercise to identify 2%, 3% and 4% budget cuts with the agency. HRC was expressly given a pass on this exercise as we have nothing to cut.

HUD: Our five-year recertification has been received. We are recertified until May 10, 2022. HUD case closings are on track to meet our requirement of 15 closed cases. Cases continue to come in. We are hopeful that we will be able to meet our requirement of 20 closed cases for federal FY16. ED Richards further explained HUD closed case requirements.

Commissioner Ellis requested that Commissioners be notified of trainings prior to date held in the event they could/wanted to attend. ED Richards agreed.

RESTORATIVE PRACTICES UPDATE:

Discussion on dates for additional meeting for Commissioners and Staff to complete the unfinished Restorative Practice circle process about hearings and deliberative process on May 12, 2017. Will also discuss strategic planning, 2018 meeting dates and activities in furtherance of the HRC's 30th Anniversary year. A facilitator would be necessary to complete the Restorative Practice process. Date of August 31, 2017 chosen for this meeting. ESA Bolduc will attempt to secure the same meeting room at Main Street Landing in Burlington.

PRE-DETERMINATION CONCILIATION AGREEMENTS (by staff)

Tenant v. Private Property Owners
VHRC Case No. HV17-0017
HUD Case No. 01-17-6252-8

Tenant v. Public Housing and Property Management
VHRC Case No. HV17-0022
HUD Case No. 01-17-6545-8

MEDIATED SETTLEMENT (formal mediation)

Diallo v. DTG Operations d/b/a Thrifty Car Rental, HRC Case No. PA16-0019. \$16,000 settlement for Complainant; Thrifty management to receive Implicit Bias training; all Vermont staff required to review their company anti-discrimination policy and sign off on it; staff to receive training at on-boarding and every two years thereafter.

EXECUTIVE SESSION:

Vickers made a motion to go into executive session at 9:42 a.m. to discuss litigation and settlement discussions where premature general public knowledge would clearly place the HRC at substantial disadvantage. The motion was seconded by Ellis. Vote 5-0

Commissioners remained in executive session to hear a confidential case at 10:03 a.m.

VHRC Case No. PA17-0009

Marzec -Gerrior brought the VHRC out of executive session at 10:15 a.m. Ellis moved to accept the recommendation of No Reasonable Grounds. The motion was seconded by Besio. Vote 5-0

BUSINESS MEETING (continued)

LEGISLATIVE REPORT

S.61- An Act relating to Corrections and Mental Health- Signed by the Governor, June 21, 2017

H.308- Act 54- An Act related to Racial Disparities in the Criminal and Juvenile Justice Systems. Signed by the Governor, May 31, 2017

OUTREACH and STATISTICS

It was noted that overall cases are down slightly from the same quarter last year but housing cases are up noticeably. The biggest difference appears to be in the number of informal cases most of which are related to parking issues at various businesses around the state.

EXECUTIVE SESSION:

Vickers made a motion to go into executive session at 9:42 a.m. to discuss evaluation of ED Richards compensation. The motion was seconded by Besio Vote 5-0

Marzec -Gerrior brought the VHRC out of executive session at 2:06.

BUSINESS MEETING (continued)

Further discussion ensued about the second retreat scheduled for August 31, 2017.

Commissioners want to ensure that the conversation with staff is completed with a facilitator. ED Richards will follow up with the facilitator from the May 12th retreat. A suggestion was made that there be a second retreat to begin a more substantive conversation about a restorative process, maybe in early November (or sooner).

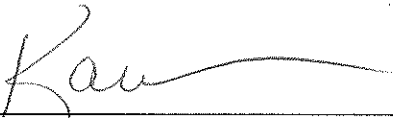
A further suggestion was made to explore partnering with UVM or Champlain College to put some of our training materials (particularly the implicit bias training) into a web-based training so that we can extend our reach beyond the physical limitations of staff.

NEXT MEETING August 24, 2017.

The meeting was adjourned at 3:10 p.m.

Dated at Montpelier, Vermont this 22nd day of June 2017.

Respectfully submitted:



Karen L. Richards
Executive Director