



Human Rights Commission
12 Baldwin Street
Montpelier, VT 05633-6301
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
July 27, 2023

PRESENT: Commissioners: Kevin Christie, Chair, Joan Nagy, Nathan Besio, and Dawn Ellis.
Staff: Bor Yang, Executive Director; Big Hartman and Daniel Flynnjac, Staff Attorneys; Daniel Flynnjac took minutes.

Commissioner Christie called the meeting to order at 9:09 a.m.

BUSINESS MEETING

MINUTES: Commissioner Nagy moved to accept the minutes of the June 22, 2023 meeting as written. The motion was seconded by Commissioner Besio. Commissioner Ellis called for discussion. Discussion held [regarding moving to a practice of recording meetings in lieu of minutes and/or a use of a disclaimer on the minutes]. Vote: Commissioners Christie, Nagy, and Besio in favor. Commissioner Ellis against. Commissioner Wilson absent.

Commissioner Nagy moved to accept the minutes of the July 10, 2023 meeting as written. The motion was seconded by Commissioner Besio. Commissioner Ellis recused herself from vote. Vote: Commissioners Christie, Nagy, Besio in favor, no opposed. Commissioner Wilson absent. Commissioner Ellis recused.

Commissioner Ellis moved to add a disclaimer to attach to the minutes. Motion was not seconded.

Commissioner Nagy moved to go into Executive Session to discuss confidential case matters. The motion was seconded by Commissioner Besio. Vote: Commissioner Christie, Nagy, Besio in favor, no opposed. Commissioner Ellis abstained.

EXECUTIVE SESSION:

Commissioner Nagy made a motion to go into executive session to hear confidential cases at 9:30 a.m. The motion was seconded by Commissioner Besio. Vote: Commissioner Christie, Nagy, Besio in favor. No opposed. Commissioner Ellis abstained.

Commissioner Wilson joined the executive session at 9:56 a.m.

Commissioner Christie brought the VHRC out of executive session at 11:43 a.m.

BUSINESS MEETING

Commissioner Besio moved to accept the recommendation of Reasonable Grounds in HV23-0009. The motion was seconded by Commissioner Nagy. Vote: Commissioners Christie, Besio, Nagy, Wilson voted in favor. No votes against. Commissioner Ellis abstained.

EXECUTIVE DIRECTOR REPORT:

ED Yang discussed the transition for Incoming ED Hartman.

ED Yang reported the HRC is underbudget currently, and how changes in staffing may affect the budget.

ED Yang announced that Incoming ED Hartman will be taking over monthly Fair Housing Trainings and discussed further trainings by staff.

ED Yang reports that S. 103 has been passed and signed into law. ED Yang discussed further areas to be addressed by future legislation.

ED Yang reported that a case against the HRC for failing to accept the investigation has been dismissed. Another case against the HRC concerning rule 75 is before the Vermont Supreme Court.

POST-DETERMINATION CONCILIATION AGREEMENTS

Commissioners reviewed and approved conciliation agreements in:

Puro v State of Vermont, Department of Public Safety
HRC Case No. E21-0005

ED Yang reviewed the terms of an agreement that is waiting on signatures in:

White v Higher Ground
HRC Case No. PA23-0001

Commissioners gave preliminary approval to sign off on the agreement once it is fully executed.

NEW BUSINESS

Commissioner Christie opened the agenda to new business.

Commissioner Ellis requested information on direct deposit and commissioner contact information be re-circulated and updated.

Commissioner Ellis moved to plan to schedule a strategic planning retreat separate from the normal monthly meeting, within four months.

Commissioner Besio requested clarification of what constitutes public and non-public records and communications. Discussion held.

Discussion held on Commissioner Ellis' motion. Commissioner Ellis retracts motion.

Commissioner Ellis moved to schedule a planning retreat in 2024. Commissioner Nagy seconds the motion. Vote: Commissioners voted unanimously in favor.

Commissioner Ellis moved to establish persistent online links for meetings instead of dynamic links for each meeting, to be published on the website. Discussion held. Motion was not seconded.

Commissioner Christie requests incoming ED Hartman research the capability of creating a static public link to the public meetings.

Commissioner Ellis moved to begin recording meetings in audio and video format and making the public portions available to the public, the full recordings available to Commissioners and Staff. Motion was not seconded.

Incoming ED Hartman informed the Commission that the Staff Attorney Investigator vacancy is posted and open for application. The Litigator Attorney position is waiting for a job number before being published. Incoming ED Hartman intends to hold the Commission meeting in August in Barre.

Commissioner Besio requests a new location for Commission meetings going forward that is on a bus route to accommodate those that rely on public transportation.

Incoming ED Hartman agrees to research a new meeting location. Commission agrees that the Barre location will remain in place for the August meeting.

Incoming ED Hartman discusses potential new trainings and presentations for the Commission.

ED Yang informed the commission there is a confidential matter that she wanted to update Commissioners on, which Commissioner Ellis is recused from.

EXECUTIVE SESSION:

Commissioner Besio made a motion to go into executive session at 2:27 p.m. where premature general public knowledge would clearly place the HRC at a substantial disadvantage. The motion was seconded by Commissioner Nagy. Vote: Commissioners Christie, Besio, Nagy, and Wilson voted in favor. No votes against. Commissioner Ellis recused.

Commissioner Nagy made a motion to adjourn. The motion was seconded by Commissioner Besio. Vote: Commissioner Christie, Nagy, Besio and Wilson in favor. No opposed. Commissioner Ellis absent.

NEXT MEETING AUGUST 24, 2023.

The meeting was adjourned at 2:49 p.m.

Dated at Montpelier, Vermont this 27 day of July 2023.

Respectfully submitted:

/s/ Bor Yang

Bor Yang
Executive Director