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**VERMONT HUMAN RIGHTS COMMISSION
MINUTES
June 28, 2018**

PRESENT: Commissioners: Kevin Christie, Chair, Donald Vickers, Mary Brodsky, Dawn Ellis and Chuck Kletecka, Substitute Commissioner (executive session only). Staff: Karen Richards, Executive Director, Ayn Lee Sing, (former) Administrative Law Examiner (by telephone for executive session involving first two cases & related deliberations only) Bor Yang, Administrative Law Examiner (for last hearing and executive director hiring discussion only), Jocelyn Bolduc, Executive Staff Assistant (minutes).

Commissioner Christie called the meeting to order at 9:27 a.m.

EXECUTIVE SESSION:

Vickers made a motion to go into executive session to hear confidential cases at 9:31 a.m. The motion was seconded by Ellis. Vote 5-0

Christie brought the VHRC out of executive session at 12:14 p.m.

VHRC Case No: HV18-0007

HUD Case No.: 01-17-7924-8

Ellis moved to accept the recommendation of no reasonable grounds of retaliation. The motion was seconded by Kletecka. Vote 5-0

BUSINESS MEETING:

Commissioners met briefly without staff to discuss ED hiring process and schedule. Then brought (present) staff in to discuss their schedule and process. Then met with ALE Yang to ask four questions to get thoughts on the ED position.

EXECUTIVE SESSION - continued:

Vickers made a motion to go into executive session to discuss confidential cases at 1:18 p.m. The motion was seconded by Ellis. Vote 5-0

Christie brought the VHRC out of executive session at 2:29 p.m.

Pam and Bonnie Barrows v. Dawn Briggs

VHRC Case No.: HV17-0026

Vickers moved to accept the recommendation of reasonable grounds of harassment based on sexual orientation. The motion was seconded by Ellis. Vote 5-0

Ellis moved to accept the recommendation of reasonable grounds of threatening and intimidating based on sexual orientation. The motion was seconded by Vickers. Vote 5-0

VHRC Case No.: HV18-0003

HUD Case No.: 01-17-7525-8

Vickers moved to accept the recommendation of no reasonable grounds based denial of a reasonable accommodation. The motion was seconded by Brodsky. Vote 5-0

Brodsky moved to accept the recommendation of no reasonable grounds of harassment based on disability. The motion was seconded by Ellis. Vote 5-0

Kletecka moved to accept the recommendation of no reasonable grounds of retaliation. The motion was seconded by Vickers. Vote 5-0

Edward Alexander v. Churchill House Realty Trust and Dean Lyon

VHRC Case No.: HV18-0003

HUD Case No.: 01-17-7525-8

Ellis moved to accept the recommendation of reasonable grounds for refusing to rent/otherwise making unavailable or denying a rental based on the failure to renew lease because of disability. The motion was seconded by Vickers. Vote 5-0

BUSINESS MEETING:

MINUTES: Vickers moved to accept the minutes of the June 8, 2018 meeting as written. The motion was seconded by Ellis. Vote 4-0.

EXECUTIVE DIRECTOR REPORT:

BUDGET - Commissioner Vickers asked about carryforward and whether HRC would be able to keep it. ED Richards said that she would have to submit a carryforward plan and that the Agency of Administration (AoA) would then determine how much of the carryforward the agency would be allowed to keep. Last year, they took back \$10,000.

STAFFING - Second interviews for the ALE position are scheduled for July 16th. The draft personal services contract and waiver request for the executive director recruitment process was sent to the AoA on June 12, 2018. A full response has not yet been received. Copies of advertisement, job description and task list with changes suggested at the June 8 meeting were provided to Commissioners.

LEGISLATIVE UPDATE- ED Richards reported that the Legislature has not given up on S. 281 Racial Equity Mitigation of Systemic Racism. S. 5, which essentially follows the conference committee bill without the language objected to by the Governor, was introduced, passed the Senate and was then passed by the House. It is now on Governor's desk and he will have to decide whether to sign it, veto it or allow it to go into law without his signature. The bill gives more duties to the panel and reinstates the appointment language by giving HRC one appointment. It also reinstates the appropriation language, the deadlines for appointments, etc. and requires training for all state employees not just managers. A copy of the bill was provided to Commissioners.

Vickers made a motion to go into executive session at 2:48 p.m. to discuss litigation where premature general public knowledge would clearly place the HRC at substantial disadvantage. The motion was seconded by Brodsky.
Vote 4-0

Christie brought the VHRC out of executive session at 3:06 p.m.

BUSINESS MEETING - continued:

OTHER BUSINESS – ED Richards reported that Chair Christie spoke with Mascoma Bank regarding their offering financial support to the HRC for the purpose of purchasing promotional items for tabling or other HRC events. ED Richards has prepared a formal request for submittal to their Giving

Committee at their next meeting. Chair Christie will provide the formal request to the bank representative.

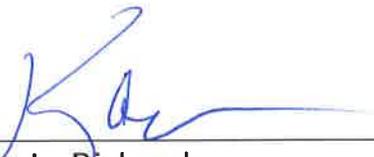
ED Richards discussed the recent U.S. Supreme Court decision in *Masterpiece Cakeshop v. Colorado Civil Rights Commission* and how this decision could and could not potentially affect similar, future VHRC cases. Specifically, Government agencies/entities cannot question the basic tenets or sincerity of a party's religious belief.

NEXT MEETING August 23, 2018.

The meeting was adjourned at 3:30 p.m.

Dated at Montpelier, Vermont this 3rd day of July 2018.

Respectfully submitted:



Karen L. Richards
Executive Director