

# HUMAN RELATIONS COMMISSION

## MINUTES

6:30 PM

April 09 2012

Animal Services Complex

MEMBERS PRESENT			SPEAKER
Cynthia Stubbs	Joseph Polich	Rollin Russell	Jason Payne
Christine Kelly-Kleese	Bryant Colson	Ashley Tittlemore	
Jack Vogt	Richard Perry	Barbara Marotto	STAFF
Lori Schweickert	Matthew Hughes	James Anderson	James Spivey

*NOTE: Colin Austin, Shannon Jackson, Rita Anita Linger, Lori Lumpkin, Preston Scott Phillips, Marty Rosenbluth, Michael Stewart, and Annette Uhlenberg informed staff that they were unable to attend this meeting.*

### I. MINUTES APPROVAL

MOTION WAS MADE BY RICHARD PERRY AND SECONDED BY ROLLIN RUSSELL TO ACCEPT THE MARCH 12, 2012 MINUTES WITH NOTED CORRECTION. VOTE: AYES 12 (Anderson, Colson, Hughes, Kelly-Kleese, Marotto, Perry, Polich, Russell, Schweickert, Stubbs, Tittlemore, Vogt); NOES 0; EXCUSED 8 (Austin, Jackson, Linger, Lumpkin, Phillips, Rosenbluth, Stewart, Uhlenberg); ABSENT 1 (Preslar).

### II. JASON PAYNE PRESENTATION

Jason Payne, Refugee Resettlement Services Coordinator at Lutheran Family Services (LFS) Carolinas, made a presentation about refugee resettlement within NC, specifically Orange County. Mr. Payne's presentation provided an historical overview of the refugee resettlement program; made distinction between refugees, asylees, and immigrants; reviewed frequently asked questions; and responded to questions from the membership.

Mr. Payne stated that he would be available as a resource to the HRC whenever needed.

### III. REPORT: HUMAN RIGHTS CENTER FUNDING REQUEST

James Spivey explained that the Funding Application Subcommittee (Ashley Tittlemore, Richard Perry, Bryant Colson) submitted their individual score sheets to Tara Fikes, Director. Ms. Fikes combined the data from the individual score sheets and submitted the combined data/recommendation to the Manager's Office.

Mr. Spivey stated that the average score of the combined data was 73 points out of 100 possible points. He stated that a noted concern from the data was the number of countywide residents being served by the non-profit organization as opposed to residents of the Towns of Chapel Hill and Carrboro specifically. He also stated that the County Manager will make his budget recommendation to the BOCC in May 2012 and the 2012-2013 County Budget will be adopted by June 30, 2012.

#### **IV. HRC POLICIES AND PROCEDURES**

The membership had questions/concerns regarding the DRAFT Human Relations Commission Policies and Procedures document. Their questions/concerns were as follows:

1. Under Section III.B.3: It was suggested that “greater Orange County” be added to denote areas that members shall represent.
2. Under Section III.B.3: It was suggested that the parentheses be removed that encloses the words “*demographic, geographic, cultural, and professional characteristics*” to note the relevance of these distinguishing traits.

The membership had questions/concerns regarding the Orange County Board of County Commissioners Advisory Board Policy. Their questions/concerns were as follows:

1. Under Section VII.B.4: Concern was voiced because the Pauli Murray Awards Subcommittee and Student Essay Subcommittee scrutinize nomination forms and student essays respectively. It would/could be problematic to have nominees and/or authors of student essays present while the subcommittees are reviewing nominations forms and essays.

The membership acknowledged the Open Meeting Laws and does not want to violate any laws. However, the membership proposed that a variance and/or an exception to the Open Meeting Laws be granted for situations/circumstances as described above.

2. Concern was voiced that the proposed policy seems to indicate “a one size fits all” mindset. The membership voiced concern that such a policy does not align with the BOCC-adopted Social Justice Goals of 1) enabling full civic participation and 2) the fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

Concern was voiced that this policy could be perceived as too complicated by Orange County residents who have the desire to be civically. It was referenced that the time requirement in regards to subcommittee meetings on the same day that a regularly scheduled meeting is to take place. The time requirement could be problematic for people with children and/or transportation issues.

3. Concern was voiced regarding the perceived inflexibility of the proposed General Policy document. It was suggested that the HRC send a message to the BOCC regarding the inflexibility of the Policy.

Concern was voiced that the General Policy requirements for *advisory boards* are equal to the requirement of a *policy-making board*. It was reiterated that the BOCC-adopted Social Justice Goals should be considered in the establishment of the new process and procedures for advisory boards/commissions.

There was discussion regarding the status – whether BOCC-adopted or draft form - of both the Human Relations Commission Policies and Procedures document and the Orange County Board of County Commissioners Advisory Board Policy document.

James Spivey stated that the Human Relations Commission Policies and Procedures document has not been adopted by the BOCC. Mr. Spivey stated that he would check with Ms. Fikes in regards to the status of the Orange County Board of County Commissioners Advisory Board Policy.

The membership asked what happened with the subcommittee (Cynthia Stubbs and Joseph Polich) that was appointed at the March 12, 2012 meeting working with and/or reviewing the HRC-specific advisory board policy and report to the full membership. Mr. Spivey stated that he would check with Ms. Fikes regarding this matter.

Mr. Spivey was asked to check with Ms. Fikes to ascertain the feasibility of the subcommittee and the HRC Chair meeting with her (Ms. Fikes) to review/discuss the HRC-specific advisory board policy and other concerns.

James Spivey reported the responses to the questions the HRC had submitted to the County Attorney regarding the proposed policies and procedures. The Attorney's responses (*italics print*) were as follows:

**1. Can a subcommittee meet by email to discuss issues?**

*No. Individual email communications generally don't qualify as a meeting. However, if the purpose of the emails is to discuss business and people are sending to everyone in a subcommittee and everyone who receives the email is using the "reply all" feature it can be considered a meeting. An appointed subcommittee is a public body, therefore a "meeting" by email would likely violate the open meetings laws unless the public has access to the emails as they are sent and received. An email meeting also would not be possible under the policy because to form a quorum the members must be present.*

**2. Do subcommittees have to meet on the same day as the advisory board to meet the notice requirement?**

*Yes. A subcommittee should schedule its meetings and release a schedule showing time, date, and location of those meetings, which should be held on the same dates as the advisory board. Special meetings or emergency meetings may be held on different dates. Notice of special or emergency meetings must comply with open meetings laws. If you want a subcommittees to have the authority to meet at a different time than the advisory board that may be addressed in the board specific policy.*

3. Are HRC members' email about HRC business subject to public records laws?  
*Yes.*
4. Section XI, Paragraph C.3 says that the Commission cannot take a position on any political issue or candidate. The HRC recently recommended that the BOCC pass a resolution in opposition to Amendment One. Is that considered taking a position on a political issue?  
*Opinion--No.*  
Further, the HRC has advocated for the inclusion of sexual orientation and sexual identity as a protected class in the County Civil Rights Ordinance. Would that be considered taking a political position?  
*Opinion--No.*

## V. NOMINATING COMMITTEE REPORT

The Nominating Subcommittee consisted of Jack Vogt, Joseph Polich, and Richard Perry.

Jack Vogt presented the slate of officers for 2012-2013 as follows: Colin Austin as Chair and Christine Kelly-Kleese as Vice-Chair. Mr. Vogt explained that James Anderson was also approached regarding his interest in serving as Vice-Chair. However, Mr. Anderson voiced his total support for Ms. Kelly-Kleese as Vice-Chair.

MOTION WAS MADE BY ROLLIN RUSSELL AND SECONDED BY JAMES ANDERSON THAT THE 2012-2013 SLATE OF OFFICERS (Colin Austin as Chair; Christine Kelly-Kleese as Vice-Chair) BE ACCEPTED AS PROPOSED BY THE SUBCOMMITTEE. VOTE: AYES 12 (Anderson, Colson, Hughes, Kelly-Kleese, Marotto, Perry, Polich, Russell, Schweickert, Stubbs, Tittlemore, Vogt); NOES 0; EXCUSED 8 (Austin, Jackson, Linger, Lumpkin, Phillips, Rosenbluth, Stewart, Uhlenberg); ABSENT 1 (Preslar).

There was discussion regarding a secretary nomination due to the new proposed policies and procedures' requirement that an advisory board/commission member be designated secretary of the advisory board/commission.

James Spivey suggested that nominations for secretary take place as nominations-from-the-floor during the June 2012 HRC meeting. The membership accepted the suggestion.

## VI. NEW BUSINESS

### A. .... AMENDMENT 1 SUBCOMMITTEE REPORT

There was discussion regarding the proposed op-ed written by Barbara Marotto, HRC Chair. Ms. Marotto stated that her understanding from staff was that the op-ed with its contents as written would require modification because it advocates strongly for one position on the Amendment 1 issue.

James Spivey clarified that the any op-ed submitted by the HRC is acceptable if the op-ed educates the general public.

It was the consensus of the membership that the op-ed be forwarded to the media under the name of Barbara Marotto and any other members who wish to sign that their names as Orange County residents as opposed to the Orange County Human Relations Commission.

**B. .... HRC PRESENCE AT BOCC MEETINGS**

Lori Schweickert suggested that the HRC have representation at BOCC meeting. Ms. Schweickert explained that if the membership supported this effort, it would require members to attend one (1) BOCC meeting a year. She explained that she is unaware of what the BOCC discuss during their meetings. She further explained that since there is no BOCC-Liaison to the HRC, there is a feeling of disconnect.

The membership voiced interest in having a presence at the BOCC meetings. It was proposed and accepted that Ms. Schweickert develop and submit a proposal that outlines the purpose and goal of having an HRC presence at BOCC meetings.

James Spivey asked that Ms. Schweickert have her proposal submitted to him for inclusion in the May 14, 2012 agenda packet.

Christine Kelly-Kleese accepted the task of devising an attendance plan for HRC members to attend BOCC meetings. Also, Ms. Kelly-Kleese is to inform the BOCC Chair that the HRC will have representation at the BOCC meetings.

James Spivey explained that the BOCC meets every other Tuesday for regular business and hold public hearings on Thursdays.

**C. .... EMANCIPATION PROCLAMATION SUBCOMMITTEE REPORT**

Barbara Marotto will be in grad school next year and will not be able to commit to the Emancipation Proclamation Subcommittee as initially thought. Ms. Marotto asked if other members were interested in serving on this subcommittee.

Ashley Tittmore and Rollin Russell volunteered to join Bryant Colson and James Anderson as subcommittee members

**D. .... FAIR HOUSING MONTH**

James informed the membership that April is Fair Housing Month and reviewed information included in the agenda packet about Fair Housing Month.

*There being no other business, the meeting was...*

***adjourned!***