

## Erie County Human Relations Commission (ECHRC) – Commissioners Meeting

### Minutes – February 2021

#### **Call to Order/Roll Call:**

The Meeting was called to Order by Chair Shawnta Pulliam Brown via zoom at 6:04 PM.

Commission Members Present: chair Shawnta Pulliam-Brown, vice chair Mary Jo Campbell secretary Christine Mitchell Kathleen DiVittorio Michael Martin, Jeff Pinski, John Steiner, Dana Williams, Marcellous Blount

Commission Members Not Present: none

County Staff: Doug Smith

ECHRC Staff Present: Tony Logue, Wayne Harbison.

County Council Carl Anderson, Ellen Schauerman

City Council Mel Witherspoon, Kathy Schaaf

Advisory Board Freda Tepfer

Chair Pulliam-Brown was pleased to announce that we have a full commission now with the addition of our two latest members. She welcomed our two newest members Marcellous Blount appointed by city council and Dana Williams appointed by county executive Dahlkemper. The new commissioners introduced themselves to everyone.

#### Approval of Commissioners Minutes / Notes:

Commissioners Martin and Campbell moved to approved the move the minutes. Discussion occurred. Chair Pulliam Brown requested the section and correspondence that occurred after the meeting that was included pertaining to the second election results be removed. Commissioners Martin and Campbell amended the motion to exclude the clause about the election results that occurred afterwards be removed. Commissioner Martin then discussed the multiple versions of the minutes and it was determined that not everyone had read the latest version of the minutes. Commissioners Martin and Divittorio motioned to table the minutes. The minutes were unanimously tabled so that everyone could review. The section that occurred after the meeting and Mr. Steiner being listed as both present and not present will be made and the minutes will be sent out again and approved next month. Chair Pulliam- Brown had requested that section be removed but that request was received in time. Chair Pulliam-Brown also mentioned the request for change from Mr. Smith and she had not had a chance to review that change. Chair Pulliam-Brown also discussed that she asked for that section to be removed because it happened after the fact and not during the meeting. She stated that nothing should not be included in the minutes that did not take place the day of the meeting unless added as an addendum.

From Commissioner Martin in the future we should send out one set and not change them until the meeting. This was a very difficult and unique circumstance with the second election result and the events that occurred after the meeting.

Secretary Mitchell read Mr Anderson's letter attached into the record and Mr Smith's email below into the record.

Dear Commissioners,

The Human Relations Commission elected Officers at its meeting on January 26<sup>th</sup>. An initial vote ended 4-3 with Shawnta' Pulliam Brown elected as Chair for 2021. After the meeting had progressed to a different area of the Agenda, a Commissioner asked for a clarification on that vote and asked for a new vote for Chair based on having misunderstood the motion. One was granted after a motion to reconsider passed 4-3. The new vote went 4-3 in favor of Mr. Steiner for Chair.

Vice Chair Mary Jo Campbell and independently some Members of City asked for a review of that determination. Council Chairman Anderson asked our Solicitor Tom Talarico to perform a legal review.

Atty. Talarico found that under Roberts' a member must change their vote before the results are announced. Further, that a change in their vote must receive unanimous approval by the entire assembly. Since neither of these events occurred, the initial election of Mrs. Pulliam-Brown shall stand. Having served in that capacity for the last two years, the Commission will be in good hands. I am sorry for the confusion and any upset. I have attached Chairman Anderson's letter to City Council for your information.

It is very exciting to see a full complement of Commissioners. Welcome to Dana Williams and Marc Blount. I look forward to a successful year and continued growth of the Agency in the public sphere.

Doug

Douglas R. Smith

Erie County Clerk

814-451-6303

Mr. Smith will forward Mr. Talarico's opinion letter to the commission. Mr. Anderson addressed the commission and clarified that the responsibility came to him and he contacted all commissioners directly to ensure everyone understood what was happening. He thanked Ms. Pulliam-Brown and Mr. Steiner for their graciousness during this situation.

Chair Pulliam-Brown discussed her requested additions/changes to the agenda that had not been completed. We are going to observe county council public comment procedures. Mr. Smith confirmed that is 3 minutes for all and 5 minutes for those who request in advance.

**Public Comment** Ms Tepfer discussed the advisory board. They have not had a quorum or meeting for some time. With four new members hopefully they will soon to make progress. Their next meeting is the combined meeting in March. Ms Tepfer is requesting that the website be reviewed and the phone number be checked and the intake form be made simpler and more user friendly.

**Director's Report:**

Director Logue welcomed new commissioners Blount and Williams. He also reminded all that the statement of financial interests forms need completed. The case status is holding at 10 cases one sent to eoc 5 pending 4 hearings planned need hearing panels. The courthouse was closed and is just reopening for hearings. Commissioner Campbell indicated she will be unavailable in March and discussed the hearing panel positions with Commissioner Leet leaving. Chair Pulliam-Brown asked if the hearing panel should provide availability dates out through April since the courthouse is just reopening and Director Logue confirmed that would be appropriate.

Commissioner Steiner asked about new legislation impacting our commission. He is going to check that out for the next meeting. Commissioner Campbell indicated there was an Equality act call from the state HRC tomorrow.

**Chair Report / Commissioners Comment(s):** The chair discussed multiple Advisory board concerns from Ms Tepfer and others including lack of meetings due to quorum and expired terms. An annual report from the advisory board should have been submitted to county council but has not been completed. The March meeting will be a combined meeting so we can discuss it together then. We now have a full commission and can work to ensure the advisory board is working to fulfill their responsibilities which are critical for us. Chair Pulliam-Brown stated it would be beneficial for the Commission to step in for the betterment of the organization why the Advisory board is not functioning and in the middle of revamping itself.

Hearing panel training March 3<sup>rd</sup> at 6 p.m. from Carl Summerson at the state. Mr Pinski asked if he could attend hearings. The answer from Director Logue is yes anyone can attend the public hearings. If there is any conflict of interest any commissioner would abstain from any vote on that case. It was asked if simply knowing a person or having heard of a person is a conflict of interest and from Director Logue simply having met someone or heard of someone is not necessarily a conflict of interest

**Old Business:** Chair Pulliam-Brown asked about a prior request to have a docket number or even a reference number on the cases so that we can keep track of case numbers and cases opening or closing without the specific case details. Director Logue indicated that he would have to consider it as with the separation of duties with the attorneys he wanted to review it. Commissioner Martin stated that he did not believe the commissioners needed any of that information as we may hear the cases. Commissioner Martin indicated that the staff is doing their job and we did not need any of that information until there was a hearing. Commissioners Campbell and Pulliam-Brown thought that a reference number would be helpful. Director Logue indicated he was not inclined to provide this at this time. Commissioner Blount asked if this reporting of case numbers had been an issue. Director Logue indicated it was not. Chairman Pulliam-Brown stated that the issue in November when it was stated 11 cases and later determined there was a mistake or miscount and it was 10 would less likely to happen if we had reference numbers and will follow-up with Mr. Smith.

Chair Pulliam-Brown confirmed that the phone number on the website did work and was answered by Ms Ames. Chair Pulliam-Brown asked if Mr. Harbison could share the site and Mr. Harbison indicated yes he could show the website but he could not make any changes any changes would need to be made by the web master/IT department. There was discussion if this was appropriate for us as a commission as Commissioner Martin did not want to usurp the power of the advisory board and we will have this for the March joint meeting.

**New Business:** We need hearing panel volunteers. We requested 2 volunteers and received 3 Commissioners Divittorio, Steiner and Williams all volunteered. Please attend the hearing panel training on March 3<sup>rd</sup> or listen to the recording if you are unable to attend and interested.

**Adjournment:**

There was a motion to adjourn by commissioners Campbell and Mitchell and the meeting was adjourned at 7:41 p.m.