

MINUTES
OLMSTED COUNTY HUMAN RIGHTS COMMISSION
THURSDAY, JUNE 15, 2017

- 1) Commissioner Dooley called the meeting to order at 7:03 pm in the Olmsted County Government Center, Room 104. Present: Commissioners Dooley, Belisle, Julius, MacLaughlin, Mustafa, Osowski, Mohamed, Skolnick. County Commissioners Thein and Wright. MCS Director Moore. Organizational Development Coordinator Buzard and Director, Intergovernmental Relations Mueller. Absent: Youth Commissioners Uhm and DeGrand. Commissioners Witz, Linkenmeyer, and Ramaker. County Commissioners Thein and Wright.
- 2) Welcome given to guest speaker and guests by Commissioner Dooley.
- 3) No public comment.
- 4) Approval of Agenda: Commissioner Dooley made an amendment to the agenda. Commissioner Julius requested adding a moment of silence for the victims of the Pulse Nightclub shooting in Orlando. Commissioner Julius made a motion to approve the minutes. Commissioner MacLaughlin seconded. All in favor; none opposed. The agenda as amended was approved.
- 5) Motion to approve June minutes made by Commissioner Mustafa and seconded by Commissioner Julius. All in favor; none opposed. The minutes were approved.
- 6) Informational Items:
 - a) Presentation by Phil Duran, Legal Counsel for OutFront Minnesota on LGBTQ Lives and Emerging Law. OutFront is Minnesota's largest LGBTQ advocacy group, providing direct service, public policy and education. Mr. Duran stated there had been an uptick in inquiries after the presidential election as individuals expressed concern that we would go backwards in marriage equality. Mr. Duran stated "it is rarely as bad or as good as we fear or imagine," and explained that the Supreme Court decision on marriage equality was unlikely to be overturned. He walked us through several district and Supreme Court decisions over several decades. "Overturning would essentially hurt the institution of the Supreme Court itself" and he compared Roe vs Wade—another decision that people are still passionate about 44 years later but has not been reversed. He stated that marriage equality is not an issue that individuals are as passionate against, and public opinion supports it. Commissioner Julius asked about limits courts are imposing on rights at the state level, so called religious freedom laws. Mr. Duran noted that they are going to higher courts where they are being challenged or overturned, and genuine religious freedom cases will eventually go to the Supreme Court. Another question posed was what issues do we need to be attentive to? The answer was issues related to identity documents for transgender people. The Obama administration made it easier to correct ID documents. Minnesota bars discrimination against trans people and it is fairly easy to change documents here, but the Social Security Administration has gender information attached to our work records. There was general discussion about non-binary gender documentation, and Mr. Duran noted that National Geographic did an issue in January on gender, and recommended it. Ms. Buzard noted that there was a misconception that individuals need to show what phase of transition they are in for passports, which is not true, and has come up at the Olmsted County records office. There was also general discussion about Title 7 of the Civil Rights Act of 1964 as it relates to employment and sex. Per Mr. Duran, "the courts have taken the concept and run with it" and now includes transgender as a form of sex discrimination, and being viewed broadly including Title 9 and education. There was general discussion of the Obama administration's Dear Colleague letter and the interpretation of law for transgender students and so called bathroom bills. The Trump administration took the letter out and courts are now looking at the issue specifically. Another area to watch is the repeal and replace efforts surrounding the Affordable Care Act, which also bars discrimination based on sex. The Department of Health and Human Services issued guidance the same day as the Department of Education's Dear Colleague letter to describe what is considered sex discrimination in health care, including transition treatment. Minnesota had barred use of state funds for transition treatment, but courts struck the decision down. There was general discussion about Minnesota legislation issues and various "informational hearings" on LGBTQ issues in the past and this session as well. There was very lively general discussion on bathroom issues in communities in Minnesota and around the country. Commissioner Skolnick asked what, as a county Human Rights Commission we could do or ideas we could implement. Mr. Duran stated mediation efforts, education "to help

folks understand” the issues and these people are parents, children, family of people who live in Olmsted County are good steps, and pointed to a forum recently hosted by St. Louis Park as well as other efforts. He also talked about how we build a welcoming community and how we stay strong when so much seems under attack, and how not to take steps backward.

b) Commissioner Dooley moved the meeting to action items needing a vote while the meeting had still had quorum. It was noted that Commissioner Umpierre resigned from the Commission, and there was a quorum at the meeting, but not a super majority needed to vote on by-law changes. Commissioner Dooley stated that the vote on the by-laws could wait, and entertained a motion to accept the Treasurer’s report that had been distributed. Commissioner Skolnick made the motion to approve and Commissioner Julius seconded. All in favor; none opposed. The report was approved. Support for PrideFest: Commissioner Julius noted in prior years the HRC supported with \$250. Commissioner Dooley stated we should do that again. Commissioner Julius noted that the structure of support was different and a table would be \$200, and include on-line recognition. Commissioner Dooley entertained a motion to support PrideFest at \$250. Commissioner Skolnick made the motion and Commissioner Osowski seconded. All in favor; none opposed. The motion carried. There was brief discussion about having an Olmsted County Human Rights Commission table at the event.

c) Special recognition for former Commissioner Jo Ericksen. Jo joined the Commission when it was a part of the City of Rochester and moved to a Commission of Olmsted County over the City administration’s refusal to distribute AIDS education materials. When asked what the Commission could do to carry on, Jo noted that “one of the best ways to be known is through forums, and have a couple of year” to keep educating the community.

d) Update from State Department of Human Rights visit to Rochester: Commissioner Kevin Lindsey and others presented a panel discussion on Building an Inclusive Workforce on June 8 at 125 Live. (Commissioner Lindsey was also in Rochester on April 13 for a community conversation on the work of Minnesota Department of Human Rights and the rights and protections under the Minnesota Human Rights Act.) Commissioner Belisle attended both, along with several other Commissioners. The April visit was during the Legislative session and the Governor’s budget proposal requested funds for MNDHR to open an office in Rochester, which was not approved. The session in June was to look at workforce issues in the area related to equity goals. Commissioner Belisle felt the visit was “gentle nudging to DMC” to increase equity goals for area projects. There were a lot of references to inclusion goals for the US Bank Stadium project to inspire DMC. DMC does have racial and equity goals for women. Commissioner Belisle noted that they highlighted the Southeast Minnesota Disability Employment Network (MaxAbility) and their work increasing the number of disabled people in the workforce as a success of Rochester. Director Mueller noted some differences between a single project like the stadium and the more diverse projects involved with DMC, and how they helped with accountability about the equity goals. Commissioner Skolnick noted that the search for Rochester’s new city administrator has not been going well in terms of finding a diverse pool of candidates, and how the City does not have good data on equal opportunity in employment as a city, and a good track record for quality of live for lower-income residents. There was general discussion of organizations that help with equity in workforce issues, and hiring processes to promote inclusion. Ms. Buzard noted that the Civic Center construction project used a large number of immigrants in that construction project.

e) Commissioner Julius read a post she found on the one year anniversary of the Pulse Nightclub shooting, about “being aware of risk” of violence and discrimination when out in the community, including “mental calculations” around every hand-hold or kiss, and the tension associated with it. The passage was followed by a moment of silence. Commissioner Julius also discussed finding hate language written in the dust on the side of her car, and the associated fear of not knowing who would have written or where it would have happened. She did report it to the School District as it might have happened at work, and will follow-up with Director Moore to make sure that it is logged in the Human Rights line call list.

Commissioner Skolnick noted that he heard that Commissioner Umpierre resigned, and that she sent a notice to the Commission, and asked for details, as he did not see it. Commissioner Dooley stated that the resignation was sent to the Executive Committee, Ms. Buzard and Director Mueller. Commissioner Skolnick expressed how surprised he was, and that she was a tenured person on the Commission. Ms. Buzard noted that it was for personal reasons. Commissioner Skolnick also inquired about Commissioner Dooley’s statement several months ago that she would be leaving the Commission, and inquired if that was still in effect. Commissioner Dooley noted that it is still the plan as she will not be a resident of Olmsted County in September, and ineligible to serve on the Commission. Commissioner Skolnick noted how

few senior members would be left. Commissioner Belisle stated that she recommended to Commissioner Umpierre to send her resignation for the minutes or have a statement to add to the minutes, but Commissioner Umpierre declined. Commissioner Belisle inquired about the status of the Youth Commissioners, and Commissioner Dooley noted that a new Youth Commissioner will be coming soon. Commissioner Belisle inquired if the term of the Youth Commissioners ended at the end of the school year to reflect in attendance notes in the minutes. Commissioner Uhm has graduated and her tenure has ended, and Commissioner DeGrand may be reappointed. Also noted: Youth Commissioners on the HRC are appointed through the Olmsted County Youth Commission and serve on both. Commissioner Belisle also noted for newer Commissioners that we typically vote for executive committee leadership in October, and suggested that we should talk about leadership roles in July or August to prepare for the election. Commissioner Dooley stated we would have an election in August this year. Commissioner Skolnick suggested nominations in July, and Commissioner MacLaughlin asked if there would be a nominating committee. Commissioners may self-nominate.

7.) Treasurer's Report: see above.

8.) Action Items: see above.

9.) Updates from Commissioners: there were no updates.

10.) Adjourn: Commissioner Julius made a motion to adjourn. Commissioner MacLaughlin seconded. All in favor; none opposed. The motion carried and the meeting adjourned at 9:10 pm.