

City of Keene
New Hampshire

HUMAN RIGHTS COMMITTEE
MEETING MINUTES

Wednesday, June 5, 2019

5:00 PM

Recreation Center, Room 12

Members Present:

William Hay, Chair
Councilor Jan Manwaring
Pamela Knight
Nancy Salwen
Tammy Parrott
Dottie Morris

Staff Present:

Andy Bohannon, Parks, Recreation & Facilities
Director
Tom Mullins, City Attorney

Members Not Present:

Mohammad Saleh

1) **Call to Order**

Chair Hay called the meeting to order at 5:02 PM and conducted roll call.

2) **Rules of Procedure – City Attorney**

The City Attorney discussed this Committee's rules of procedure. He visits with Boards and Committees periodically, especially those reformulated recently, like the HRC. He was glad to meet the Committee and explain their responsibilities as a public body; Councilor Manwaring is very experienced with these rules. Public bodies must meet statutory requirements; these can seem odd or prescriptive when Committee members of diverse backgrounds converge. There is a significant difference, for example, between a public body and a group like the Lions Club. This public body must comply with NH RSA 91-A; this statute permitted the City Council to create this Committee per the Mayor's recommendation to act as an agency of the City per the City's Ordinances.

A public body must meet certain regular requirements, most of which staff handle, such as 24-hour public notice of Committee meetings posted in two different places. A public body's meeting must occur in open spaces available to the public, whom the Chair can recognize in discussions (not in voting).

The City developed standard rules of procedure for public bodies to streamline accordance with RSA 91-A. He asked Committee members to read the rules. Per these standards, all communications between Committee members about Committee business must only occur in a public meeting noticed properly. This means members cannot communicate via email to make comments or decisions about Committee business. It is permissible to communicate via email through staff; members should limit these

communications to absences or questions about agenda items. The “reply all” option automatically creates a quorum and there should be no further comments; even replies to staff emails should go directly to the staff members. The Chairman asked if this applies to interpersonal communications outside the meeting. The City Attorney said it becomes a quorum if a group of Committee members begins talking about upcoming agenda items socially. The Chairman confirmed it is a matter of transparency. The City Attorney noted this is a legislative body, which does not mean they create legislation but that the Committee is a statutory body with specific statutory authority and rules of procedure, like the Zoning Board of Adjustment and Historic District Commission. Just because this Committee does not legislate does not mean they do not have to comply with right-to-know laws and statutory requirements.

The City Attorney said another issue is the creation of subcommittees; unless necessary this group should try doing everything together. It is ok for a member to do research and report to the Committee but. Sending two people to research together and make decisions amongst themselves about what to bring to the full body is a problem. This creates a subsidiary public body, or a subcommittee, which are permissible but have specific requirements in the rules of procedure.

The City Attorney shared packets of five documents he encouraged all members to read; he pointed out highlights:

1. Rules of procedure – standard rules for operating committees under NH RSA 91-A. Quorum is not 50% of the people who show up, but 50% of eligible Committee membership, which is nine members (there are seven active currently, but there are nine eligible) of this Committee currently, so five members must be present. This is the new quorum standard after past ambiguities posed challenges.
2. Conflict of Interest – the City has a conflict of interest policy that applies to committees. It is rare that this Committee will make decisions to accept money. However, if something of financial interest comes before the Committee and a member is related to those finances they must recuse themselves; for example, if a member’s employer requests money from Council.
3. Non-Public Sessions – this Committee should never have one, such as discussing something privately under the statute, which is very specific.
4. Remote Participation – Committee members can participate in meetings by phone, but they do not count as quorum; quorum must be present in the meeting room. The member on the phone must be on speaker so members of the public can hear them. Remote members *can* vote on Committee business. Ms. Morris stated for the record that she thinks it is antiquated that remote members do not count toward quorum with technology evolving to connect people remotely; the City Attorney noted he has no control over this rule. Committee members agreed this requirement makes it more important to ensure there is a full board.

City Ordinance O-19-08 created the HRC, which was not called a Commission to reduce confusion with the Human Rights Commission under state law in Concord. He referenced Chapter 2 of the Ordinance for Board and Commissions that generally outlines how they are created. It is important to know there are criminal penalties for violating the statute,

which he does not envision for this Committee. At the next meeting, the Committee should vote to adopt the rules of procedure, which the Chair will sign and return to the City Attorney.

3) Approval of Minutes

Councilor Manwaring moved to approve the minutes of May 1, 2019, which Ms. Knight seconded and the Human Rights Committee carried unanimously.

4) Finance Report

Mr. Bohannon reported the budget status on the last page of the meeting packet. \$4,574.70 remains in the budget, which has not changed since the last meeting.

Ms. Morris moved to accept the finance report, which Councilor Manwaring seconded and the Human Rights Committee carried unanimously.

5) Human Rights Proclamation

Mr. Bohannon noted there would be an LGBTQ Proclamation at the subsequent City Council meeting and the Mayor would recognize this Committee. He asked for Committee representation and the Chairman agreed to attend. Ms. Morris agreed to encourage attendance from the college. The Chairman noted it is important to show representation of how far the country has come since civil unions were legal.

6) International Festival

Mr. Bohannon met with the organizers and they are excited to work alongside the City and HRC. The festival will take place on September 21 at the Recreation Center. There will be entertainment, food trucks, arts and crafts, and vendors. They are building on the process from last year and he thinks the HRC has helped them work in the right direction. Mr. Bohannon will meet with the organizers on June 17/18 and other committee members were welcome to attend. He said they have amazing energy compounded by additional expenses and potential revenue of moving and scaling the event. They do not intend to generate income; they want to help the community experience various international cultures. Still, Mr. Bohannon wants them to understand that taking in some revenue will help offset some of those costs and to support enhancing future events. He thinks they will do a great job; they have taken the feedback from last year seriously. Committee members agreed last year was successful despite minimal food options. Mr. Bohannon noted there are already six food trucks from outside the City attending. The organizers seek publicity from the HRC and he has promised them a venue and insurance because it is a City event. There will be a separate donation account.

Mr. Bohannon will keep the Committee informed and encouraged them to attend the City Council meeting, for which he would email details. Because emails count as a quorum,

he reminded members to no respond to emails regarding discussions of issues related to the Committee.

7) Community Events

Mr. Bohannon noted the interfaith group was not interested in leading the MLK breakfast again. He thinks this Committee is best to take it over because the capacity and different resources of members. Potentially the event could occur in multipurpose room at Recreation Center, the Blastos room at Keene Ice, and Heberton Hall among others. There are resources to host small events open to the community, with a nice speaker for example, and utilizing donated for that purpose. Members agreed the Greek Orthodox Church is a great venue that the Committee can pursue despite the interfaith groups nonparticipation; Mr. Bohannon was unsure if this is possible and would investigate. The City instituted a policy resulting from no return on donations to the interfaith group but the group continued returning seeking funds. Mr. Bohannon expressed frustration because the HRC wanted to support the events, but last year's was subpar. Members discussed the event's history and confusion of what group organized the event historically as well as the disorganization of past events the HRC contributed funds to. Ms. Morris noted there are members of the disbanded interfaith group meeting to discuss next steps as a community and she thinks it is important to invite them to HRC meetings.

Ms. Morris recalled there is a group in Jaffrey that begins planning the next MLK breakfast as soon as the last one ends. Their event is extravagant, including contests in the schools and a keynote speaker, for example; she said the church was packed with people despite the mediocre weather last year. She met with someone from their committee and discussed sharing a speaker throughout the day to share the expense. They are pursuing two women because the sister of one in the duo has an amazing organic farm in northern New York that is all about community. The Committee agreed that Jaffrey is an excellent example and collaboration is smart. Ms. Morris shared some other names as well, whom the Committee discussed.

8) Public Forum

Last year there was a successful state presentation on human rights, which was well attended (mostly by college students) so there is an opportunity still to reach other demographics in the community. Another forum could help continue the conversation and the Committee agreed that a public forum on human rights would be a great first major public task to take on. Councilor Manwaring suggested scheduling the event in October before the election to keep people aware of issues; she said September is a busy month. Mr. Bohannon thought about having it after the International Festival; this Committee could have a booth/table/display at the festival, to introduce the community to the Committee and to promote upcoming events like the public forum.

9) New Business

Ms. Knight shared information about the wall at Cheshire Medical Center, where down the main hall to the left is a timeline with the 1967 death of Jonathan Daniels because his father was a physician there. It incorrectly says he died in Selma, Alabama; she asked if there is a way to change it to correctly read as Hayneville, Alabama. She sent a PDF to Mr. Bohannon; the Committee reviewed and discussed the original copy. Mr. Bohannon said the sign was installed with the hospital expansion in the early 2000s; he did not know who designed it. Ms. Knight said it is painted on glass and could be challenging to correct. Mr. Bohannon will bring it forward to Sylvia McBeth at the hospital.

Ms. Morris recalled a discussion about doing more than the LGBTQ Proclamation and she took that idea back to the college. There was discussion of a gathering (similar to a potluck) to recognize the Proclamation. She asked Mr. Bohannon if it could occur in Ashuelot Park, but he said that is not a permitted use. Ms. Morris. She asked this Committee to discuss the idea and find a date that works for everyone. She shared another idea about using the Recreation Center in the case of rain, and otherwise holding it outdoors. For a potluck in the park, Committee members agreed people would have to bring cold food and that a potluck might be more community spirit versus a brown bag lunch.

Mr. Bohannon asked if this potluck would be a City event because the proclamation is from the City. Ms. Morris suggested the Committee could co-sponsor. The event would have to occur at the end of June but many Committee members will be away. Mr. Bohannon suggested something in Railroad Square with entertainment and a food truck; a new Ordinance allows food trucks in the City of Keene, so inviting a food truck to an event does not require a permit. Mr. Bohannon added that parking is available for food trucks at the Railroad Square location. If the HRC sponsors/encourages the event, there would be no fee on electricity. Mr. Bohannon said a potluck would be impractical. He suggested Local Burger could create a special burger for that night, which they did for a past event and it was a successful fundraiser. The Committee agreed that idea is a good one to help the local community and make the Proclamation visible. Mr. Bohannon can help arrange the event at Railroad Square.

Ms. Morris referred to another event at the student center at the college. The Committee and Mr. Bohannon gave permission for the HRC to promote a film event and discussion on the same day as the Walldogs Festival.

10) Adjournment

The Committee agreed to hold the next meeting on July 10. There are still two openings on the Committee and they seek a member of the LGBTQ community.

The Chairman adjourned the meeting at 6:06 PM.
Respectfully submitted by,
Katryna Kibler, Minute Taker
June 19, 2019

HRC Meeting Minutes
June 5, 2019

ADOPTED

Respectfully edited by,
Andy Bohannon, Staff Liaison – June 26, 2019