



TENNESSEE HUMAN RIGHTS COMMISSION
WILLIAM R. SNODGRASS TENNESSEE TOWER
312 ROSA L. PARKS AVENUE, 23RD FLOOR
NASHVILLE, TN 37243-1102
615.741.5825 FAX 615.253.1886
www.tn.gov/humanrights

May 19, 2017
Board of Commissioners'
Meeting Minutes

Commissioners Present:

Commissioner Crafton
Commissioner Crider
Commissioner Derryberry
Chair Houston
Commissioner Martin
Commissioner Sloss
Commissioner White (Phone)

Commissioners Absent:

None.

Staff Present:

Beverly Watts, Executive Director
Lynn Cothren, Special Assistant to the Executive Director
Sabrina Hooper, Deputy Director
Erika Wynn, Communications Director
Saadia Williams, Housing Coordinator
Lisa Lancaster, Executive Assistant

Guests:

Allen Staley, Fiscal Officer, F & A
Kaleda Bentley, THRC Intake (Phone)
Suzanne Land, THRC Intake (Phone)
Jesse Harbison, THRC Associate General Counsel

Call to Order

Chair Houston called the meeting to order at 9:04 a.m. and asked for a moment of silence followed by the roll call.

The minutes of the March 17, 2017 Board of Commissioners' meeting were reviewed. Commissioner Derryberry made a motion to approve the minutes and Commissioner Sloss seconded the motion. A vote was taken and passed.

Executive Director's Report

Executive Director Watts began her report by asking Allen Staley to give an end of the year Budget report. Allen Staley provided a budget snapshot through April 30, 2017 or 83% of the fiscal year. Allen stated that we have expended \$1,901,315.31 or 73% of the budget which puts us on track to close of the year within the budget. Projections for the fiscal year column shows that we expect to spend \$2,268,900.00 for the year on June 30, 2017. This means that we will likely break even concerning state appropriated dollars. In the budgeting process we have to stay under the budget and we have to stay within the state appropriated dollars. We must make sure that there is enough federal revenue coming in to offset the state appropriated dollars being used. Looking at the variance column it looks like we will be approximately \$2,300 under the state appropriated budget. We also have a carryforward of up to \$200,000 in savings that can be used in the next fiscal year. Our account is approximately \$169,000 which can be used if we go over in our state appropriated dollars.

Commissioner Sloss asked if we always keep that fund or if it reverts to the general fund. Mr. Staley noted that we keep it as long as it is in the appropriations act which it has been for the last several years. Commissioner Sloss followed up with; can it be spent on operating expenses? Mr. Staley answered that it can be spent on any general operations expenses without restriction.

Commissioner Crider asked what the consequences would be if the Commission went over budget. Mr. Staley explained that it does not look good for management if that occurs and the carryforward could be used to supplement the state appropriated funds in the event of a shortage also, if we went over the total budget that is a serious event which would require working with the budget office to apply funds from the emergency contingency fund to remedy the situation.

Commissioner Derryberry asked for an explanation about the 137% budget overage in the training category. Mr. Staley explained that a payment from the Employment Law Seminar in the amount of \$11,000 which was for last year's expenses but was paid out of this year's funds because it was not processed by the end of the year deadline.

Commissioner Crafton asked about the additional dollars in the Salaries category. Executive Director Watts explained that due to the five staff vacancies in housing those funds were not used. Mr. Staley noted that the close of the fiscal year will be on June 30, 2017 but will not be complete until about September. Executive Director Watts noted that the Commission will receive another report at the July meeting showing the updated number.

Executive Director Watts reported that there are two staff vacancies and introduced Jesse Harbison, the new Associate General Counsel position who will start on May 31, 2017. Jesse explained that she comes to us from the Employment Law Group of Baker Donelson and is happy to be here. Executive Director Watts then noted that Shay Rose, General Counsel left on April 28, 2017 to work with the Social Security Administration. It was noted that both Rachel Appelt and Shay Rose did an excellent job of making sure

that cases were reviewed and closed as well as providing orientation for Jesse Harbison. The agency is currently advertising for the General Counsel position which closes today. Interviews will be held over the next week.

Commissioner Crafton asked how many applicants applied for the position of General Counsel. Executive Director Watts said there are eight to ten on the list. Lauren Speer, Legal Assistant has reviewed the applications and Executive Director Watts and all the Executive Staff will interview the applicants and the process should be completed by the first full week of June.

Commissioner Crafton asked how long it will take to get the person chosen on board. Executive Director Watts explained that it is dependent on the candidate and when they can come. The goal is to have them in place between June 15th and the 30th.

Commissioner Sloss asked if the position being interviewed for was General Counsel or Association General Counsel. Executive Director Watts noted that Jesse Harbison is Associate General Counsel and the open position is for General Counsel.

Commissioner Martin asked if we knew why Shay Rose left and asked if it was salary related. Executive Director Watts noted that Ms. Rose said it was a better opportunity and that it was the right time. She will be working with an Administrative Law Judge writing opinions.

Commissioner Crafton asked about the salary range for the position. Executive director Watts noted that range is \$69,554 to \$125,222 but goal is to be around \$85K. In the past staff have received raises and been promoted from within to prevent going outside the agency to fill a position.

Commissioner Crider noted that some private attorneys do not make \$85K and so we would be competitive with some attorneys even if we aren't with federal positions. Executive Director Watts noted that we received resumes from inside and outside state government.

Executive Director Watts continued by reporting that the Sunset Bill passed in the House which extends us until 2021. We conducted an employment investigator training in house from April 11-13, 2017 and the employment report will give additional details about that. The HUD Sponsored Design and Construction workshop is coming up on May 23, 2017 and the targeted audience is architects, developers, etc. who want information about design and accessibility in construction and will be held at the Goodwill from 8 to 4:15. Please let Ericka Wynn know if you would like to attend.

THRC will go before the Joint Education, Health Committee which is a sub-committee of Government Ops regarding the audit findings on June 24, 2017. Deputy Director, Sabrina Hooper updated the Commission regarding the audit findings by noting that the agency is doing very well and monthly monitoring is continuing. Emails are being sent to staff to encourage them to send letters timely. The 40 days to assignment goal is

impacted by mediation, late position statements and has been changed to an average of 40 days.

Commissioner Crafton asked if there was a reason such as a statute why our clock could not start when all the necessary paperwork is received by our staff. He noted that it does not seem fair for our actions to be rated when these actions are taken by someone outside our staff. Deputy Director Hooper explained that this benchmark is set by the agency. In the past auditors expected every case to meet the standard without considering the reasons why they were not met. Our clock is started when we have determined that the complaint is jurisdictional. This mark is a reminder to staff to keep the work moving forward. In our review we found that we assigned cases within 36 days on average but there were 12 cases that went over the 40 days for the reasons noted above.

For the audit finding regarding the THRC internal benchmark of sending out letters of assignment and request for information letters within ten days of assignment we made an adjustment. We are now combining the assignment letter and the request for information letter. We assigned 79 cases between February 1, 2017 and April 30, 2017 and all letters were timely.

Regarding the submission of Investigative Plans (IP) within ten (10) working days of receipt of the case we did have one (1) untimely IP out of sixty-five (65). Commissioner Sloss asked if the case files could be scanned to investigators in the outer offices. Executive Director Watts noted that since EEOC still uses paper files, we also do and we do not have the support staff to scan cases to the investigators. Deputy Director Hooper noted that we are averaging four (4) days and we have ten (10) days so we are doing very well with this finding.

In regards to employment reconsiderations being completed within thirty (30) days, we received (3) employment reconsiderations and two were closed within the statutory requirement. The third request was considered untimely to receive reconsideration.

In the housing audit findings there were fifteen (15) complaints processed and of those one (1) assignment letter for complainants and respondents was two (2) days late. Following a discussion with staff it was determined that case assignments would be emailed to investigators and the letters could be printed from HEMS and mailed within the ten (10) day timeframe. Since February no assignment letters have been untimely.

On the finding regarding timely housing reconsiderations, there were no requests for reconsideration. Commissioner Sloss asked about the inventory level of cases. Deputy Director Hooper noted that the converted cases are lower but we have higher intake which indicates we are processing inquiries faster now with additional staff on board. Commissioner Sloss noted that low inventory levels can impact revenues. Deputy Director Hooper noted we are looking at closing the contract at last year's level which was 210 because we do not have the inventory to meet the possible 259 cases. Commissioner Sloss asked if the inventory is lower and will our case age come down.

The response was it should. Commissioner Crafton asked if we are concerned about the decreased inventory trend and about the revenue being sufficient to sustain the agency going forward.

Deputy Director Hooper noted there is always a concern because we are case-driven but our staff has to be strong enough and quick enough to turn the cases around. Commissioner Crafton asked if we have ever considered a regionalization approach so that if Tennessee is down this year but Georgia or Mississippi is experiencing a backlog of cases could help them by working their cases. Executive Director Watts noted we only have jurisdiction in Tennessee but noted the agency is in conversation with EEOC about sending us some of their cases from their cases. When cases are dual filed and have 15 or more employees EEOC could send us additional cases. About a year ago we talked with the District Director and we had too many vacancies in Housing to accept cases so we adjusted our employment staff to work housing cases. With the backlog we currently have in Intake we have to determine if they are jurisdictional then what does our inventory look like for investigation. The factors that we consider are inquiries, intake and investigations. Commissioner Crafton noted that once a case is found to be jurisdictional then we know we will get paid for it. Executive Director Watts noted cases are subject to review and must meet appropriate investigations standards for payment.

Commissioner Derryberry added that EEOC and HUD require that things are done by mail and she noted the many trees represented by the paper this board utilizes the resources of email when the files are sent to us for our review and would save time and resources that are involved in preparing these notebooks for each meeting. We could go paperless and be a model for other state agencies going forward. Executive Director Watts noted that PowerPoint presentations could be used visually for reports. It was decided that at the July Commission meeting we would go paperless. Commissioners Crafton and Sloss agreed.

Executive Director Watts reminded Commissioners that the Employment Law Seminar is coming up on June 22nd and is being held at Trevecca Nazarene University. If anyone would like to attend, let Erika Wynn know so she can take care of registrations.

Executive Director Watts handed out a flier on the Jocelyn Wurzburg Civil Rights Legacy Award and its criteria. She explained that the original award came out of our 50th Anniversary celebration was given to Commissioner Jocelyn Wurzburg in 2013 and in 2014 the award was given to Carol Berz out of Chattanooga. The cost of the award is \$250 to \$300 and will be discussed by the Education and Outreach committee but wanted a general consensus from the Commission if it should continue. Commissioner Crafton asked what the actual award was. Executive Director Watts indicated it was an artisan engraved bowl. He followed up with how does someone get nominated for the award and Executive Director Watts noted that the nominations come from within the Commission body and is given to the Education and Outreach committee for final decision on who will receive the award which is approved by the Commission.

Commissioner Crider asked when Commissioner Wurzburg served on the board and Executive Director Watts responded that she served in the 1970s and again from 2008 to 2015. She wrote the initial draft enforcement provisions of the Tennessee Human rights Act and worked with Senator Avon Williams, Sr. to get the legislature to pass the bill in 1978. She served on the Commission for five or six years 1978.

Commissioner Derryberry recommended that the issue go to the Education and Outreach Committee then come back to the Board at the July meeting.

Commissioner Crafton made a motion to accept the Executive Directors report and Commissioner Martin seconded the motion. A vote was taken and passed.

Employment Case Report

Deputy Director, Sabrina Hooper reporting on the period from March 1, 2017 to April 30, 2017 noted that 92 inquiries were received resulting in 68 charges, 55 dual filed and 13 THRC only. During the period 51 charges were closed with an average charge age of 353 days. Our open inventory at the end of April 2017 was 221 cases. There are 99 inquiries in intake waiting to be processed.

Also one (1) mediation closed within this timeframe, resulting in \$750 in monetary benefits to the Complainant and four (4) complaints closed as settlements with \$6,260 in monetary benefits to the complainants. As of July 1, 2016 we have conducted twenty-four (24) mediations and where fifteen respondents were represented by attorneys and three complainants were represented.

Comparing the years we noted a decrease of 8% in charges received and a 15% increase in charges accepted. Complaints closed saw a 23% increase for the timeframe. Title VII cases are the top category of cases closed.

Of the surveys conducted 89 phone calls were placed and 19 witnesses were interviewed. Two of those interviewed did not recall the interview and after further investigation it was noted by the complainant that one of the witnesses has a disability and was afraid to talk to us but she confirmed that we did call them. The housing call was a comparator witness which we believe took place.

The ten question survey in employment, public accommodation and housing recorded 256 surveys sent out and 46 were returned. Also 257 surveys were emailed and 13 were returned and new comments were that the complainant was not satisfied with the outcome but forgives the respondent. Another comment was that a settlement was reached and that shortened the time of investigation.

April 11-13, 2017 an in-house Comprehensive employment training event was held for all employment investigators where policies and management involvement were discussed. Commissioner Sloss asked if investigators were either housing or employment. Deputy Director Hooper noted that in each regional office there is at least

one cross-trained investigator with a total of 8 investigators working housing cases. These investigators attended both training sessions.

Commissioner Sloss asked if that could be done across the board with all investigators. Deputy Director Hooper noted that it was important to have dedicated staff for both housing and employment and noted that going forward we will be looking at which staff could be trained as mediators since we have only four mediators due to staff changes.

Executive Director Watts noted that some investigators request to do both and any and all tools will be considered and policy or process changes that need to be made and ongoing review is always happening.

Commissioner Sloss made a motion to accept the Employment report and Commissioner Crafton seconded the motion. A vote was taken and passed.

Housing Case Report

Housing Coordinator, Saadia Williams began her report by noting that Rodney Ursery, a cross-trained investigator in the Memphis office, settled a case for \$10K which shows that cross-training is paying off. The housing report covers the March 1, 2017 to April 30, 2017 time frame noting that there were 18 dual filed complaints closed and seven (7) of those or 38% were no cause; five (5) or 28% were conciliations; and two (2) or 11% were unable to locate the complainant; two (2) or 11% were failure to cooperate and one (1) or 5.5% was a withdrawal without resolution and one (1) or 5.5% was a withdrawal with resolution.

At the time of this report 73 cases had been closed and this time last year we had closed 59 cases. It was noted this is the first time in over a year that the housing office has been fully staffed since February of this year and new staff are being trained on a continuing basis.

Regarding the HUD efficiency goal of 50% of cases being closed within 100 days of the 73 cases closed the efficiency goals stands at 38%. In December a plan was put in place to close 50 substantially aged cases and as of May 1, 2017 28 of those had been closed and work on those cases continues. Commissioner Sloss asked the reason for those cases being aged. Housing Coordinator Williams noted the number one reason was staff turnover.

Executive Director Watts noted that over the last 14-16 months there have been five (5) experienced staff lost in the housing division which resulted in assignment and reassignment more than once for some cases. Commissioner Crafton asked what the ramifications were of aged cases. Housing Coordinator Williams noted that the HUD efficiency goal is not met. Executive Director Watts noted that secondly we should have no aged cases over a certain amount of time which is another HUD standard. We have been successful in closing aged cases and HUD has extended our time to complete the plan. They could take those cases away from us which would mean revenue out of our pocket. Deputy Director Hooper noted that in August HUD will conduct an on-site so the

documentation of aged cases will be included in that report and then we will respond to that report in a formal writing where we will be able to show our progress through the process.

Executive Director Watts explained that we have out-performed HUD and other agencies regarding this issue. The standards that HUD uses are not codified in their policies and procedures or regulations. Commissioner Sloss asked if HUD is making an issue of aged cases, is EEOC concerned about their cases. Executive Director Watts noted that EEOC has not mentioned aged cases to us and they do not do reviews similar to the performance reviews that HUD does.

Commissioner Sloss followed up by commenting that with respect to cross-training of investigators if we are receiving push back from HUD on aged cases but not from EEOC it makes sense to cross train investigators so they could work on whichever is the greatest need. Executive Director Watts noted that is why we have employment investigators cross-trained in housing for two reasons the first being that we need them to work on housing aged cases right now and two HUD pays more money than EEOC. We also have another staff member trained in housing but is currently assisting with employment intake.

Commissioner Sloss asked about the number of staff at the agency. Executive Director Watts noted that of the 29 staff at the agency 13 are investigators. Commissioner Sloss asked if other staff are capable of doing investigations. Executive Director Watts explained that with the current workload that is not possible with all staff doing double duty and it would require too much time to train staff and get them up to speed and we are always looking at staff and what their knowledge base is and what roles are needed and reviewing support issues to make the best use of our staff resources.

Commissioner Crafton asked if we could utilize the carry forward funds to see if staff would like to work overtime to help work aged cases. Executive Director Watts noted that carry forward funds are a reserve account for emergencies and we are currently doing a good job of maintaining. In the past we have been asked by the budget office to include cuts of 2 to 6 % in our budget and those cuts of 6% always include staff reductions.

Commissioner Crider asked about the salary line item being \$200,000 and could we leverage that for overtime pay. Executive Director Watts responded that we are at 73% of our total budget now and that money is being used in other places. Commissioner Crider asked if we have any funds in reserve. Allen Staley, Fiscal Officer noted that currently there is about \$170K in the reserve fund which is not reflected in the budget document you have.

If we have to use the reserve funds to close the end of year it will be brought to the Commission for your review. Commissioner Crafton asked if it could be listed at the bottom of the budget document so it could be tracked. Mr. Staley noted that the Carry

Forward letter would be prepared in September and so the final budget information will be available then.

Commissioner Derryberry made a motion to accept the housing report and Commissioner Sloss seconded the motion. A vote was taken and passed.

Title VI Compliance Report

Executive Director Watts reported on the March 1, 2017 to April 30, 2017 timeframe noting that there are 74 open cases in inventory and five (5) cases were closed during the period.

There were seventeen (17) requests for technical assistance received ranging from assisting the City of Knoxville to Hardin County Sheriff's department about internal investigations; questions from TDEC about whether contract language gave them authority to conduct investigations of grant recipients.

Regarding Compliance Reviews we have completed five (5) this year and one (1) was scheduled to start on Monday with Tennessee Board of Regents which has been suspended. We will conduct this as soon as it is feasible. The Annual Training will be conducted sometime in July or August and we will give you more information when available.

The implementation Plan guidance will be released within the week to Title VI coordinators. Commissioner Sloss asked if the complaints were inmate complaints and Executive Director Watts noted that was not the case because if those were included the number would be much higher. Those reported here are jurisdictional complaints. Looking at inquiries which were 34 for the period probably 20 of those were inmate issues and were referred to TDOC for their review because they did not complain of discrimination based on race, color or national origin.

It was also noted that the Department of Revenue compliance review is under review and almost complete. Commissioner Sloss asked if we receive good cooperation from the State agencies with regards to compliance review. Executive Director Watts noted that all reports are copied to the Commissioner of the Agency along with the Title VI coordinators. Annual report cards are also presented to show their performance with regard to Title VI plans and issues.

Commissioner Sloss asked if the Comptroller's office ever contacted us regarding agencies being in compliance with Title VI. Executive Director Watts noted that they did and we provided information regarding Implementation Plans, compliance review and compliance with Title VI.

Commissioner Martin made a motion to accept the Title VI Compliance report. Commissioner Sloss seconded the motion. A vote was taken and passed.

Commissioner Sloss asked about a contingency plan for the Title VI unit. Executive Director Watts noted that a plan is being developed and would be shared with commissioners when available.

Legal Report

Executive Director Watts reported on the March 1, 2017, to April 30, 2017, period when legal closed 63 employment cases and five of those were failure to respond. One was a duplicate charge and there were two (2) conciliations/settlements. In housing there were six administrative closures and aged cases have caused several failure to cooperate/locate, one withdrawal and one was filed in court and there were two conciliations/settlements. Nine copy requests were completed, and there are none in inventory.

The Sunset bill has passed and the five (5) cases that we are being represented by the Attorney General's Office have been dismissed. In the Coffee County case, the Chancellor granted the State's motion to dismiss the case based on the appeal petition not be timely. As soon as we have Counsel on board we will be moving on the Commissions appeal to grant relief to the complaining party. Additional court action may transpire.

Commissioner Sloss noted that the last reference to the case was the motion from Coffee County to go back to the original ALJ order and there was no other movement on it. Executive Director Watts noted because the Chancellor did not grant their appeal what this Commission decided stands unless other legal action is taken and they have exhausted their appeals. There was an order from the Commission granting the complainant \$25K which stands at this point.

Commissioner Crafton asked about the report on Commission-initiated complaint noting that his mother lives in a 50 to 55 year old housing area to which Executive Director Watts replied we do not cover those. The question was could he place property on the rental market and designate it as only 50 to 55 year old housing. Executive Director Watts noted that he could not arbitrarily decide that. It was also noted that you cannot decide you don't want children which is against the THRA and HUD Fair Housing laws.

The online complaint that we have been working with the UT Law Class has made no progress. We will follow-up with the professor.

For training and outreach Legal participated in internal Housing and Employment training for investigators during the period.

The first employment cause case listed was on the bases of race and age where an African American complainant was subjected to the "n-word" on a regular basis throughout his 14 year employment and also told that he was getting to old to do his job. A date has been set for a hearing on October 24 & 25, 2017 in Knoxville TN.

The second employment cause case was a complainant who was terminated two days after filing a sexual harassment complaint against a co-worker. We are working with parties to see if mediation is possible.

In housing, the first cause case is where the landlord found out the Complainant has PTSD and would not communicate with him concerning the property, and preferred to communicate with his wife. We found he was being treated differently because of his disability. The case will proceed to an administrative hearing.

The second cause case is a person with a disability who made several reasonable accommodation requests. She had a companion animal and she provided documentation and the landlord did not believe it. They had a policy in place that was discriminatory and the complainant knew her rights. The respondent did not want to conciliate and the case was filed with the Secretary of State and the Judge has contacted the parties to schedule an administrative hearing.

The third housing cause case is regarding a disable home owner asking to keep trash container outside her home being denied because it was visible from the street. Respondents have elected, meaning the Commission will now have to take the case to state court and is now being handled by the AG's office who will determine how to proceed.

The fourth cause case is a failure to rent, terms and conditions and discriminatory statements regarding a respondent having a policy of not renting to children that stated that all tenants agreed not to have children and tenants found with children would be forced to move. Staff are working on conciliating the case.

The fifth cause case is an eviction and failure to accommodate the complainant's reasonable accommodation requests. This case has been settled with the respondent for \$750 for Education and Outreach fund and the respondent will train all employees making housing decisions in fair housing. The complainant may still take his case to federal court. Commissioner Crafton asked if this means that the complainant does not agree with the settlement. Since the complainant did not receive any relief they can take it to federal court if he chooses to.

Commissioner Crider asked if you settled with state court you could still file in federal court if you want to. Executive Director Watts noted that the case was going to administrative hearing and the respondent wanted to conciliate with us and we agreed to a settlement with them. The complainant would not enter into a discussion with respect to conciliation so under the Fair Housing Act they can still file in federal court.

He followed up with, what action could a person involved in a case take if they were unhappy with the actions of a staff member. Executive Director Watts noted they could call her or the Governor's office or call Senator Corker or Senator Alexander who will contact us on behalf of their constituent and we will explain where the case stands with

us within 24 hours. If the request comes from state legislators we respond in like manner.

Commissioner Derryberry made a motion to approve the Legal report and Commissioner Sloss seconded the motion. A vote was taken and passed.

Commissioner Sloss asked if we are in the good graces of our legislators. Executive Director Watts noted that we think we are but we did not get the additional dollars that we asked for in the budget and we are trying to figure out why.

Communications Report

Communications Director, Erika Wynn reported on the period from March 1, 2017 to April 30, 2017 when there were four exhibits, ten speaking engagements and 30 Education and Outreach events attended plus three advertisement efforts. During the period events totaled 44 and reached 7,716 people during the period and 665,173 reaching those through Face Book ads for the West Tennessee Fair housing event and a radio ad for Fair Housing Month which ran on I Heart Radio for three weeks.

Total events for the fiscal year were 84 and total reached were 745,237 in comparison to last year when the total events were 105 and total reached were 29,552.

We ran Face Book ads for the West Tennessee Fair Housing event where we reached 4,440 people and the cost of the ad was \$68 and housing friends were tagged. An ad for the Employment Law Seminar is running now which is geo-targeted. We had one (1) staff training and Executive Director Watts appeared on I Heart Radio to discuss Fair Housing Month which reached 85K people. There were also ads for Black History Month and Martin Luther King events.

Our website had 20,680 hits for the period which is up from 8,207 this is due to the social media which is linked back to our website. The average time that people are on the webpage is almost 2 minutes. For social media Face Book totaled 11,965 for the fiscal year and last year was 1,413. The increase is due to staff focused on posting on Face Book and Twitter consistently. We had two new webinars posted to You Tube one on Fair Housing and one on How to conduct an Investigation.

Upcoming events include the Accessibility First: Design and Construction Training on Tuesday at the Goodwill Industries Career Center. There is no cost to attend and begins at 8 am and ends at 4:15 pm. Architects will receive 6 CLE's for their attendance.

The Employment Law Seminar will be June 22, 2017 at Trevecca Nazarene University from 8 am to 4:15 pm and registration is open until June 12, 2017. If commissioners would like to attend, please notify Erika Wynn who can make those arrangements. Attendees will receive 5.25 CLE credits and 6 HR credits. The West Tennessee Fair Housing Celebration was April 5, 2017 and 86 registrants and 84 attendees which covered the expenses and evaluations were very positive. Also next year is the 50th Anniversary of the Fair Housing Act.

Commissioner Derryberry made a motion to accept the Communications report and Commissioner Crafton seconded the motion. A vote was taken and passed.

Chair Houston noted that based on our bylaws we need to elect officers and a nominating committee has been established and the chair of the committee will be Commissioner Derryberry and Commissioner Crider and Commissioner Martin will sit on the committee. Elections for Chair of the Board, Vice Chair and Secretary will be considered by the committee and a slate of candidates recommended to the Commission at the July meeting. The terms for the officers are two year terms.

Commissioner Crafton made a motion for the Board to act as a committee of the whole and take care of this today while everyone is in attendance. Commissioner Derryberry asked if the bylaws would allow us to do that. Commissioner Sloss noted that we have the bylaws that state that. Chair Houston read that the Commission shall elect its officers to serve for a period of two years at the annual meeting in July or at such time as the Commission deems feasible.

Commissioner Crafton thanked Chair Houston for serving more than two years and Commissioner Sloss seconded the motion for discussion. Executive Director Watts explained that in the past the nominating committee chosen by the Chair has met and reviewed resumes of all commissioners and spoken to the candidates to see if they were interested in serving in that position before the committee brought the slate of officers to the full board.

There are three positions to be filled and the Commission has two vacancies on the board and two others terms will expire on June 30, 2017 but they will continue to serve until an appointment has been made so are also possible candidates. It has usually taken approximately 45 minutes for the meeting. Then the Chair will consider committee assignments for the upcoming year.

Commissioner Crafton asked if nominations could be made from the floor today that would be considered by the committee. Commissioner Derryberry called for the question. Commissioner Crider seconded the question. Commissioner Derryberry clarified that the motion was to decide on the committee as a whole verses going with the nominations committee coming back to the board in July with a slate of a potential slate of officers.

Commissioner Sloss asked if before the vote on the current motion he offered his opinion and after that Commissioner Crafton could withdraw his motion if he chose to. He noted that he was comfortable with going through the normal process of the nominating committee and having them look at resumes and consider any candidates that are out there.

Commissioner Crafton noted he thought that we needed to get the ball rolling today so we could be ready for July but if that is not the case I withdraw my motion.

Chair Houston reminded the Commission that the next board meeting will be in person on July 28, 2017.

Chair of the Nominating Committee Derryberry added that we will schedule a telephonic meeting in a week to ten days so if anyone is interested in any office please let Commissioner Crider, Commissioner Martin or myself know and we will bring that up for discussion at our meeting. Commissioner Crafton asked what the offices were. They are Chair, Vice Chair and secretary.

Commissioner Crider referred to the Commissioners Conflict of Interest form and requested that the staff review it and entertain a change by adding one word, knowingly, to the statement about mutual funds. Executive Director Watts agreed to review the statement.

Chair Houston adjourned the meeting at 10:52 a.m. CDT.